

BRO 5.17(A)

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

PAGE 1 TO PAGE 213

STERLING REPORTING SERVICE, INC.

(212) 267-4150

CONDENSED TRANSCRIPT AND CONCORDANCE

STERLING REPORTING SERVICE, INC.

225 BROADWAY - SUITE 1910

NEW YORK

NY 10007

Phone: (212) 267-4150

FAX: (212) 227-6479

682705635

BRO 5.17(A)

Put these in
the Broin
case

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

PAGE 1 TO PAGE 213

STERLING REPORTING SERVICE, INC.

(212) 267-4150

CONDENSED TRANSCRIPT AND CONCORDANCE

STERLING REPORTING SERVICE, INC.
225 BROADWAY - SUITE 1910
NEW YORK
NY 10007

Phone: (212) 267-4150

FAX: (212) 227-6479

682705636

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(1)

Page 1

1 IN THE CIRCUIT COURT OF THE 11TH
2 JUDICIAL CIRCUIT IN AND FOR
3 DADE COUNTY, FLORIDA
4 GENERAL JURISDICTION DIVISION
5 CASE NO.: 91-49738 CA (22)
6 FLA. BAR NO. 068445
7 x
8 NORMA R. BROIN, et al.,
9
10 Plaintiffs,
11 v.
12 PHILIP MORRIS COMPANIES, INC.,
13 et al.,
14
15 Defendants.
16 x
17 DEPOSITION OF DEFENDANTS LORILLARD, INC.
18 and LORILLARD TOBACCO CO., INC., by ARTHUR J.
19 STEVENS, taken by the Plaintiffs, pursuant to
20 Notice, held at the offices of Greenberg, Traurig,
21 Hoffman, Lipoff, Rosen & Quentel, P.A., 399 Park
22 Avenue, New York, New York 10022, on Friday,
23 December 3, 1993, commencing at 9:40 a.m., before
24 Maria Caruazzone, a Stenotype Reporter and Notary
25 Public within and for the State of New York.

Page 3

1 APPEARANCES: (Continued)
2
3 MUDGE ROSE GUTHRIE ALEXANDER & FERDON, ESQS.
4 Attorneys for Defendant Liggett Group, Inc.
5 150 Maiden Lane
6 New York, New York 10038
7 BY: PATRICK D. BONNER, JR., ESQ.,
8 of Counsel
9
10 COVINGTON & BURLING, ESQS.
11 Attorneys for Defendant The Tobacco Institute
12 1201 Pennsylvania Avenue, N.W.
13 P.O. Box 7566
14 Washington, D.C. 20044
15
16 BY: PAUL R. DUKE, ESQ.,
17 of Counsel
18
19 JONES, DAY, REAVIS & POGUE, ESQS.
20 Attorneys for Defendant RJR Nabisco
21 3500 One Peachtree Center
22 303 Peachtree Street, N.E.
23 Atlanta, Georgia 30308-3642
24
25 BY: JAMES R. JOHNSON, ESQ.,
of Counsel
KING & SPALDING, ESQS.
Attorneys for Defendant Brown & Williamson
191 Peachtree Street
Atlanta, Georgia 30303-1763
BY: GORDON A. SMITH, ESQ.,
of Counsel
-and-
ANDERSON, MOSS, PARKS & RUSSO, P.A.
100 North Biscayne Boulevard
Miami, Florida 33132

Page 2

1 APPEARANCES:
2
3 STANLEY M. ROSENBLATT, P.A.
4 Attorney for Plaintiffs
5 66 West Flagler Street
6 Concord Building - 12th Floor
7 Miami, Florida 33130
8
9 BY: STANLEY M. ROSENBLATT, ESQ.,
10 -and-
11 SUSAN ROSENBLATT, ESQ.,
12 of Counsel
13
14 SHOOK, HARDY & BACON, P.A.
15 Attorneys for Defendants Lorillard Inc.,
16 Lorillard Tobacco Co., Inc., and
17 Philip Morris, Inc.
18 One Kansas City Place
19 1200 Main Street
20 Kansas City, Missouri 64105
21
22 BY: GARY R. LONG, ESQ.,
23 of Counsel
24
25 -and-
GREENBERG, TRAURIG, HOFFMAN, LIPOFF,
ROSEN & QUENTEL, P.A.
399 Park Avenue
New York, New York 10022
DEBEVOISE & PLIMPTON, ESQS.
Attorneys for Defendant The Council for
Tobacco Research - U.S.A., Inc.
875 Third Avenue
New York, New York 10022
BY: NICHOLAS S. ACKER, ESQ.,
of Counsel

Page 4

1 APPEARANCES: (Continued)
2
3 JACOB, MEDINGER, FINNEGAN & HART, ESQS.
4 Attorneys for Defendant U.S. Tobacco
5 1270 Avenue of the Americas
6 New York, New York 10020
7 (NOT PRESENT)
8
9 ALSO PRESENT:
10 JAMES R. CHERRY, JR., ESQ.
11 Vice President
12 Deputy General Counsel
13 Lorillard
14 One Park Avenue
15 New York, New York 10016-5895
16
17 * * * * *
18
19
20
21
22
23
24
25

682705637

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(2)

Page 5

1
2
3
4 IT IS HEREBY STIPULATED AND
5 AGREED, by and among the attorneys for
6 the respective parties hereto, that all
7 objections, except as to the form of the
8 question, are reserved to the time of the
9 trial of this action.
10 IT IS FURTHER STIPULATED AND
11 AGREED, that this deposition may be signed
12 and sworn to by the witness being examined,
13 before any officer authorized to administer
14 the oath, with the same force and effect as
15 if signed and sworn to before the Court.
16 IT IS FURTHER STIPULATED AND
17 AGREED, that the filing, sealing and
18 certification of the within deposition be,
19 and the same are hereby, waived.
20
21
22
23 * * * *
24
25

Page 6

1
2 ARTHUR J. STEVENS, called
3 as a witness, having been first duly sworn
4 by the Notary Public (Maria Caramazana), and
5 stating his address as [DELETED]
6 was examined and
7 testified as follows:
8 EXAMINATION BY
9 MR. ROSENBLATT:
10 Q Please state your full name.
11 A Arthur J. Stevens.
12 Q What does the J. stand for?
13 A Joseph.
14 Q What is your business or professional
15 address?
16 A 1 Park Avenue, New York, New York
17 10016.
18 Q And what is your home address?
19 [DELETED]
20
21 Q Are you an attorney, sir?
22 A I am.
23 Q And what year were you licensed to
24 practice?
25 A 1960.

Page 7

1
2 Q Where did you go to college?
3 A Queens College of the City of
4 New York.
5 Q What did you major in?
6 A Political science.
7 Q And graduated in what year?
8 A 1956.
9 Q What law school did you go to?
10 A New York University School of Law.
11 Q And graduated what year?
12 A 1959.
13 Q Let me trace your career as a lawyer
14 firstly. After you got your law degree, what, if
15 anything, did you do with that law degree in terms
16 of employment?
17 A I was employed as an attorney with the
18 then New York Central Railroad in New York City. I
19 then was employed as an attorney for Pfizer, now
20 known as Pfizer, Incorporated.
21 Q Okay.
22 Let me get the time frames. During
23 what time frame were you with the New York Central
24 Railroad?
25 A From 1959 until August of 1962, with a

Page 8

1
2 brief period during that period when I was called
3 back into the military service.
4 Q When you were with the New York
5 Central Railroad, essentially what were you doing?
6 A I had a variety of duties. I served
7 in the General Counsel's office. I served in the
8 General Attorney's office. I served in the
9 Solicitor's office. And I served in the Real
10 Estate Department. All of them in my capacity as
11 an attorney.
12 Q Where were you based?
13 A In New York City.
14 Q Why did you leave?
15 A For a better position.
16 Q And your next job as an attorney was
17 with Pfizer?
18 A In October of 1962 I went with Pfizer
19 as an attorney.
20 Q Okay.
21 And how long did that position last?
22 A I stayed with them until March of
23 1969.
24 Q And, basically, what did you do when
25 you were with Pfizer?

Page 5 to Page 8

(212) 267-4150

STERLING REPORTING SERVICE, INC.

682705638

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS · 12/3/93

XMAX(3)

Page 9

1
2 A I had a variety of legal assignments.
3 I was essentially a division counsel. I did
4 mergers and acquisition work. I did general
5 corporate work, and I did real estate work.
6 Q While you were with Pfizer, other than
7 being an attorney, did you have a particular title,
8 either a business title or a title as an attorney?
9 A For a one-year or 14-month period, I
10 had the title of Assistant to the Vice President
11 and General Counsel.
12 Q And who was that?
13 A His name was Jesse Heiges, now
14 deceased.
15 Q Who was your immediate supervisor when
16 you were with the New York Central Railroad?
17 A Mr. Emil Agostini.
18 Q Is he living?
19 A As far as I know.
20 Q Do you know where he is living or
21 would be living?
22 A No, I do not.
23 Q You have not had any contact with him
24 in a number of years?
25 A Not in many years. The last contact I

Page 10

1
2 had, I think he was living in Connecticut, but I am
3 not certain of that.
4 Q Okay.
5 When you were with the New York
6 Central Railroad, about how many lawyers did they
7 have based in New York?
8 A About 65.
9 Q And when you were working for Pfizer,
10 where were you based?
11 A In New York City.
12 Q And how many lawyers did they have,
13 about?
14 A In the seven-year period I was there,
15 I think it was about 17 lawyers. It has expanded
16 significantly since then.
17 Q What was the address of Pfizer, where
18 you worked out of?
19 A 235 East 42nd Street.
20 Q And why did you leave Pfizer?
21 A For enhancement and a better position.
22 Q Who did you go with after Pfizer?
23 A Lorillard.
24 Q What year was that?
25 A March of 1969.

Page 11

1
2 Q Who hired you?
3 A I was hired by two people. I was
4 hired by a man named Lester Pollack and a man named
5 Manuel Yellen.
6 I was interviewed by both of them.
7 The decision of my hiring was made by Mr. Yellen.
8 Q What was Mr. Pollack's title back when
9 he hired you, or when he interviewed you?
10 A He was then General Counsel of Loew's,
11 then Loew's Theaters, Inc.
12 Q And what was Mr. Yellen's title?
13 A He was Chairman and Chief Executive
14 Officer of Lorillard.
15 Q Did you contact Lorillard initially or
16 did they contact you? How did that pairing come
17 about?
18 A They contacted me.
19 Q Who in particular?
20 A I think the initial contact was Lester
21 Pollack, through the NYU Law School placement
22 office.
23 Q Well, how did that work, did you make
24 it known?
25 A I had my resume on file at the NYU

Page 12

1
2 placement office indicating that I was available,
3 and they contacted me.
4 Q Okay.
5 And you were hired to do what, in
6 1969?
7 A I was hired as General Counsel.
8 Q As the General Counsel for Lorillard?
9 A Yes, sir.
10 Q Okay.
11 Who had been the General Counsel
12 before you?
13 A My immediate predecessor was a man
14 named Phil Grant.
15 Q Grant?
16 A Grant, G-r-a-n-t.
17 Q Was he retiring, quitting, fired?
18 A He was not there when I got there. My
19 understanding was his services were terminated, but
20 I do not know the details.
21 Q You do not know the background as to
22 why that occurred?
23 A No, sir.
24 Q Do you know how long Grant had been
25 General Counsel?

682705639

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(4)

Page 13

1
2 A I think he had been in-house for a
3 couple of years. Prior to that he had been an
4 outside lawyer with a firm who was in a General
5 Counsel relationship with Lorillard at the time.
6 Q You are still with Lorillard?
7 A I am.
8 Q And still as General Counsel?
9 A My title now is Senior Vice President,
10 General Counsel.
11 Q When did you become Senior Vice
12 President?
13 A 1979.
14 Q So from '69 to '79 you were General
15 Counsel, and -
16 A No, from '69 to '71 I was General
17 Counsel. In '71 I became Vice President and
18 General Counsel, and in '79 I became Senior Vice
19 President and General Counsel.
20 Q In terms of your actual work and
21 duties, what was the significance of becoming
22 Vice President in '71?
23 A I am not sure that I remember the
24 details, but probably in terms of the expansion of
25 the size of the staff and additional supervisory

Page 14

1
2 responsibilities.
3 Q Well, as Vice President, did you have
4 duties and responsibilities unconnected with your
5 role as General Counsel?
6 A Additional responsibilities?
7 Q Correct.
8 A No.
9 Q Then you were Vice President and
10 General Counsel from '71 until '79?
11 A That is correct.
12 Q And so that your status and title has
13 remained the same since '79?
14 A Yes.
15 Q Okay.
16 How many people do you have working
17 under you at the present time?
18 A Three.
19 Q What are their names?
20 A James Cherry, Ronald Goldbrenner, and
21 Nicholas Simeonidis. I will spell the last name.
22 S-i-m-e-o-n-i-d-i-s.
23 Q As Executive Vice President, were you
24 doing different things than you had been doing as
25 Vice President?

Page 15

1
2 A I was never Executive Vice President,
3 sir.
4 Q Well, Senior Vice President. I am
5 sorry.
6 A Would you ask the question again?
7 Q As Senior Vice President, were you
8 doing different things than you had been doing as
9 Vice President?
10 A Not in nature; perhaps in scope.
11 Q Well, give me an example of how the
12 scope would have been enhanced?
13 A The problems, and the responsibilities,
14 and the legal obligations of the company had grown
15 in 25 years. They grew in that two-year period,
16 and they grew in the period since 1979.
17 Q Who is your immediate supervisor at
18 Lorillard?
19 A Andrew H. Tisch, T-i-s-c-h.
20 Q In terms of the chain of command at
21 Lorillard, who is the No. 2 man after Tisch?
22 A The Vice Chairman on the organizational
23 chart is S.W. Spears. There is an Executive Vice
24 President of Marketing named Martin Orlowsky,
25 O-r-l-o-w-s-k-y.

Page 16

1
2 I can't describe that as a chain of
3 command, because it's not my understanding that
4 Mr. Orlowsky reports to Dr. Spears, so therefore,
5 I do not think it is a chain of command.
6 Q Who do you report to?
7 A Andrew H. Tisch.
8 Q You do not report to Dr. Spears?
9 A I do not.
10 Q Are you and Dr. Spears at the same
11 level?
12 A I have not seen the organizational
13 chart, but as his title is Vice Chairman, I doubt
14 that we are at the same level.
15 Q He is higher than you?
16 A Yes, sir.
17 Q As a practical matter, do you have
18 much contact with Dr. Spears?
19 A Yes, I do.
20 Q Okay.
21 A I have contact with everybody in the
22 senior level.
23 Q What is Dr. Spears' role at Lorillard?
24 A His title is Vice Chairman. He is the
25 senior officer at our Greensboro operation and,

Page 13 to Page 16

(212) 267-4150

STERLING REPORTING SERVICE, INC.

682705640

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(5)

Page 17

1
2 therefore, the Research and Development and
3 Manufacturing Operations report directly to him.
4 And he has responsibilities with respect to our
5 international business.
6 Q What is Dr. Spears' background? Is he
7 a lawyer, doctor, educational background?
8 A I believe he has a Ph.D. in chemistry.
9 Q What does Lorillard do in terms of
10 research and development?
11 MR. LONG: At this point in time,
12 I am going to state for the record that
13 Mr. Stevens' deposition had been noticed
14 as a director of CTR. We have gone through
15 some preliminary years of his background
16 and employment with Lorillard as General
17 Counsel. He was not noticed as General
18 Counsel. Those things that he knows as
19 General Counsel very much fall in the
20 categories of work product, attorney-
21 client privilege, given the sources of
22 his information.
23 We are not going to allow Mr. Stevens
24 to testify as to anything of substance that
25 he knows because of his role as General

Page 19

1
2 him on the merits, period.
3 If you feel something is privileged,
4 assert a privilege, and we will bring that
5 before Judge Kaye, but our position is we
6 will not bring him back a second time to put
7 on another hat on another day and discuss
8 Lorillard.
9 MR. LONG: You noticed him as a
10 CTR Director. Had you noticed him as
11 General Counsel, we would have filed a
12 motion to quash. You don't depose attorneys
13 involved in cases unless you can reach
14 certain requirements.
15 Since you didn't notice him as an
16 employee of Lorillard, as General Counsel,
17 but noticed him as Director of CTR, we
18 didn't make that motion.
19 MS. ROSENBLATT: But he is also
20 the Vice President of Lorillard, so we are
21 deposing him as the Vice President of
22 Lorillard.
23 MR. LONG: If there is something
24 that he does for Lorillard outside the role
25 of General Counsel, he may be able to

Page 18

1
2 Counsel.
3 If you want to later notice his
4 deposition as General Counsel of Lorillard,
5 we will worry about that with the Court at
6 that time.
7 MS. ROSENBLATT: Mr. Stevens,
8 excuse me, was noticed for his deposition
9 on the merits. We have designated that he
10 is a Director of the Council for Tobacco
11 Research. We did not limit it in any way.
12 He is wearing several hats. We are
13 certainly entitled to question him.
14 You can assert any privilege you
15 feel appropriate as to his position as
16 Vice President, Senior Vice President of
17 Lorillard.
18 That does not - putting in that he
19 is a Director of the Council for Tobacco
20 Research does not limit us under Florida
21 law, and that is what we are traveling under
22 in this deposition.
23 I don't know what New York law is as
24 to that, but we are not required to put in
25 every hat he is wearing. We are deposing

Page 20

1
2 testify about that. Our position is that
3 anything he does as General Counsel is so
4 intermingled with fact, opinion, work
5 product, attorney-client privilege, we are
6 not today going to take a chance on any
7 waiver.
8 If you want to depose him as General
9 Counsel, file a notice. We will file a
10 motion to quash, and we will worry about
11 the parameters before the Court at that
12 time.
13 MS. ROSENBLATT: My understanding
14 is that we are going to question him about
15 any employment he presently has, what he
16 does on a day-to-day basis. If you feel a
17 particular question is privileged, assert
18 the privilege.
19 But, for example, if he were working
20 now on another job, as an independent
21 contractor, or had his own business, we
22 could question him extensively on that.
23 So we are just going to question him
24 on what he does for Lorillard, as well as
25 what he does as a Director of the Council

682705641

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(6)

Page 21

1
2 for Tobacco Research. And that has been
3 noticed. He has been noticed as a deponent
4 today. This is not limited.
5 You know, if you want to, you can
6 assert a privilege as to a specific question
7 where you feel an attorney-client privilege
8 is appropriate, but it's not required under
9 Florida law that we designate the particular
10 hat. All we have to do is name the
11 deponent. We named him as a deponent.
12 MR. LONG: You named him as the
13 CTR Director.
14 MS. ROSENBLATT: That was put in,
15 but he is the CTR Director, he is the
16 Vice President of Lorillard and he is the
17 General Counsel of Lorillard.
18 He may do five other things. But each
19 of those does not have to be designated on a
20 notice of taking deposition, certainly not
21 under Florida law.
22 So what I would suggest is, we
23 proceed, we ask questions, and where you
24 feel it is a privileged area, assert the
25 privilege. But you cannot preclude us from

Page 22

1
2 asking any questions about his work as a
3 representative of Lorillard.
4 MR. LONG: I cannot preclude you
5 from asking questions. I can preclude my
6 client from answering those questions.
7 MS. ROSENBLATT: Just assert an
8 attorney-client privilege if you feel it is
9 appropriate, but I very much object to any
10 suggestion that because we didn't write
11 the words "and also as Vice President of
12 Lorillard," that somehow limits us, and we
13 would have to come to New York and take a
14 second deposition. I don't think that is
15 appropriate, so just proceed with the
16 regular --
17 MR. LONG: We have our own views
18 of what is appropriate. If anything deals
19 with the substance of what he does as
20 General Counsel, with his knowledge as
21 General Counsel, with his activities as
22 General Counsel, I am going to direct the
23 witness not to answer.
24 If it's outside his role as General
25 Counsel, he can answer. If you want to

Page 23

1
2 take his deposition as General Counsel,
3 file that and we will file a notice to
4 quash.
5 MS. ROSENBLATT: Assert the
6 privileges. We will go through and then
7 we will just have a hearing, and it's a
8 question of whether or not he has to come
9 back.
10 BY MR. ROSENBLATT:
11 Q As I understand, you have never been
12 in the private practice of law?
13 A That is correct.
14 Q Okay.
15 You went from the Railroad to Pfizer
16 to Lorillard?
17 A That is correct.
18 Q That is your career as an attorney?
19 A That is correct.
20 Q Okay.
21 What do you do for Lorillard outside
22 your capacity as an attorney?
23 A Outside of my capacity as an attorney?
24 Q Right.
25 I mean, when I hear the title Senior

Page 24

1
2 Vice President and General Counsel, you know, my
3 assumption is, okay, General Counsel is one job,
4 Senior Vice President is another job.
5 A The cleavage is not that clear. My
6 responsibilities at Lorillard, other than in my
7 role as General Counsel, encompass responsibilities
8 with respect to the external affairs of the
9 company.
10 Q Give me an example of some of those
11 external affairs.
12 A I have responsibility for the
13 government relations. I have responsibility for
14 such public relations as we conduct. And I have
15 responsibility for liaison with organizations
16 outside the company that are related to government
17 relations and to industry activities.
18 Q What is involved with government
19 relations?
20 A I have responsibility for the
21 relationship with the company, with trade
22 associations that conduct government relations on
23 our behalf, or that are involved with information
24 gathering with respect to government activities and
25 legislation.

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(7)

Page 25

1
2 Q For example, if Congress is
3 considering legislation affecting the tobacco
4 industry, how do you get involved?
5 A I am kept up-to-date and make it a
6 point to be knowledgeable about that activity
7 through a variety of sources, including trade
8 associations.
9 Q Are you involved with lining up
10 witnesses and deciding who would be appropriate
11 witnesses to testify before various committees of
12 Congress?
13 A Not on a direct basis, but in
14 connection with trade associations I may be
15 involved.
16 Q How would you be involved?
17 A I would be - I would be advised as
18 to what the plans were for a legislative array of
19 witnesses and what the scope of the testimony
20 which would be covered might be. Things of that
21 sort.
22 Q What would your input be?
23 A It would depend upon the legislation
24 and the questions that were put to me in -
25 Q As a practical matter, do you have

Page 26

1
2 the authority to say, you know, we shouldn't use
3 expert A, we should use expert B; that kind of
4 thing?
5 A The lines in my experience have never
6 been so clearly drawn that that would be solely my
7 decision.
8 Q Now, when you talk about government
9 relations, do I understand correctly that includes
10 the federal level, the state level and the local
11 level?
12 A That's correct.
13 Q Give me an example of how you would
14 get involved at the local level.
15 A In the same fashion as I just
16 described to you that I would be involved at the
17 federal level.
18 Q Dealing with a lawyer, it is hard to
19 get specific, but I am going to do my best.
20 For example, the Los Angeles
21 restaurant ban on smoking; obviously, before that
22 law was enacted in Los Angeles, it was considered
23 for a period of time. How were you involved in
24 that?
25 A I received information as to the scope

Page 27

1
2 of the proposed legislation. I reviewed with
3 others the strategy in the plans for responding to
4 it.
5 Q What was the strategy?
6 MR. LONG: You can answer to the
7 extent that this is in the external affairs
8 arena. In some role that you feel you were
9 playing as General Counsel, I instruct you
10 not to answer.
11 A May I hear the question again?
12 (Whereupon, the record was read.)
13 A The strategy was, in general, to
14 present witnesses and statements that would point
15 out the lack of need for the proposed regulation,
16 and the extent to which it was unwarranted, and in
17 general, to state opposition to it as being an
18 unnecessary accommodation.
19 Q What was the thrust of the argument as
20 to why Los Angeles should not pass a law banning
21 smoking in all restaurants?
22 A I don't recall.
23 Q Well, what is the thrust of the
24 argument against - the tobacco industry is
25 presumably against all bans. In buildings, in

Page 28

1
2 restaurants, what is the thrust of the -
3 A Your presumption is incorrect. They
4 are not opposed to all bans. If you want to tell
5 me generically that frequently the opposition is
6 predicated on the theory that personal
7 accommodation is more desirable, that setting
8 aside separate spaces for smokers is an appropriate
9 way, that adequate ventilation is another means.
10 We have a variety of actions that can be taken
11 by restaurateurs and others who accommodate the
12 public to accommodate smokers as well as
13 non-smokers, and our opposition generally and
14 specifically with respect to most of those
15 proposals follows along those lines.
16 Q Well, isn't it fair to say that
17 Lorillard would be against any all-inclusive ban
18 against smoking in any building?
19 A No.
20 Q Give me an example of - give me an
21 example of a ban where it was proposed that smoking
22 would be banned entirely in certain kinds of
23 buildings, shopping malls, restaurants, that you
24 would not oppose.
25 I understand that you are always

682705643

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(8)

Page 29

1
2 talking about a smoking section, non-smoking
3 accommodation, but give me an example of a
4 situation where you would not generically be
5 opposed to a complete ban.
6 A I can't do that.
7 In 1993, I think, there were over 900
8 such proposals. They are all different. I can't
9 begin to describe to you with specificity which we
10 were opposed to completely and which we proposed
11 accommodations, which we proposed as being totally
12 unwarranted. I can't do that.
13 Q No, what I am asking you is not
14 specifically, but generically, any time Lorillard
15 was not opposed to the complete banning of smoking
16 in an enclosed space.
17 I mean, isn't it true that you are
18 100 percent opposed to those kinds of bans?
19 A No, sir, it's not. I am telling you
20 that I suspect that there are bans proposed in
21 facilities which are health care facilities or
22 facilities in which infant children are involved,
23 things of that sort.
24 Q Okay.
25 A Where we do not oppose it.

Page 30

1
2 Q Okay.
3 Health care facilities, where infants
4 might be involved, for example, if it's proposed
5 that, in any state, that smoking be banned in all
6 state buildings, you would oppose that?
7 A I can't sit here and say that we would
8 oppose that, without knowing the specifics of the
9 proposal.
10 Q Are you a smoker?
11 A I am not.
12 Q Ever smoke?
13 A I was a pipe smoker for about 30
14 years.
15 Q Never smoked a cigarette?
16 A I have never smoked a cigarette.
17 Q Not even on an experimental basis?
18 A Not even on an experimental basis.
19 Q How come?
20 A Never felt that I wanted to and didn't
21 feel it was something that I would enjoy. I
22 started smoking a pipe when I was 16 years old, and
23 that was - I enjoyed that.
24 Q When did you give up pipe smoking?
25 A About two weeks before I went into the

Page 31

1
2 hospital to have my thyroid gland removed.
3 Q Which hospital was that?
4 A Lenox Hill Hospital in New York City.
5 Q When?
6 A Summer of 1985.
7 Q Was there any connection in your mind
8 between the two, the removal of your thyroid and
9 the pipe smoking?
10 A There was no connection medically or
11 in my mind between the two.
12 Q But why did you give up pipe smoking?
13 You told me when you gave it up, but not why you
14 gave it up.
15 A Because I stopped enjoying it.
16 Q Coincidentally with that
17 hospitalization?
18 A No.
19 Q The two -
20 A Coincidental only in the sense that I
21 was starting not to enjoy it, and I knew I was
22 going in for surgery, and I knew I was going to go
23 into the hospital, and it was leaving a bad taste
24 in my mouth, so I stopped.
25 Q What brands of tobacco did you use

Page 32

1
2 when you were a pipe smoker?
3 A Kentucky Club.
4 Q I am sure my jargon is not going to be
5 correct, because I have never been a pipe smoker.
6 Like, do you smoke a pack a day or two packs a day.
7 What terminology do you use when you are a pipe
8 smoker in terms of filling up?
9 A Bowls.
10 Q Okay. All right.
11 I mean, a heavy pipe smoker would be
12 how many bowls a day?
13 A One man's heavy smoker is another
14 man's light smoker.
15 I was not a heavy pipe smoker. If I
16 filled my pipe three or four times a day, that
17 would have been a lot.
18 Q Okay.
19 And that was your pattern over the
20 30 years?
21 A Yes, sir.
22 Q Okay.
23 Were you ever a cigar smoker?
24 A I occasionally smoked a cigar; very
25 occasionally.

682705644

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(9)

Page 33

1
2 Q Are you married?
3 A I am.
4 Q Is your wife a smoker?
5 A She is not.
6 Q Ever smoke?
7 A My wife?
8 Q Has she ever smoked, your wife?
9 A Not to my knowledge.
10 Q How long have you been married?
11 A It will be 36 years in June.
12 Q Do you have children?
13 A 35 years, excuse me.
14 I have two adult daughters.
15 Q Do either of them smoke?
16 A No.
17 Q This is all a coincidence, or
18 somewhere along the line did you make it clear to
19 them you thought it wasn't a good idea for them to
20 smoke?
21 A Never did, sir.
22 Q Just never came up?
23 A Never came up.
24 Q And as far as you know, did your
25 daughters ever experiment with smoking?

Page 34

1
2 A Not to my knowledge.
3 Q What would have been your advice had
4 they asked for your input?
5 MR. LONG: I would object to the
6 question. It calls for speculation.
7 If you know what you would do, Arthur,
8 that is fine, but don't speculate.
9 A At what point in their life?
10 Q 16.
11 A I would have told them I thought they
12 should wait a little while until they were a little
13 older and make a judgment as an adult.
14 Q 19?
15 A I think about the same. It's getting
16 closer to where they could make up their own minds.
17 Q 22?
18 A I can't give you a cut-off line, sir.
19 Q Hypothetical situation, your daughter
20 is 23 years old.
21 A I said to you at 19 I thought I would
22 probably start to cut off and think that they were
23 adult enough at that point to make their own
24 decision.
25 Q All right.

Page 35

1
2 Let me finish my hypothetical.
3 Say your daughter is 23 years old, and
4 she says to you at that time, you know, Daddy, you
5 have been with Lorillard for a number of years, a
6 lot of my friends are smoking, do you think I
7 should smoke?
8 A We have --
9 MR. LONG: Just a second, Arthur.
10 I am going to object to the question.
11 You are asking hypotheticals, and the
12 witness is not an expert witness. It calls
13 for speculation and conjecture.
14 Don't speculate. If you have an
15 answer, that is fine, but don't speculate.
16 A We had no such conversations.
17 Q It's a hypothetical. You are a
18 lawyer, you know what a hypothetical is.
19 A I cannot tell you what I would have
20 told my daughter when she was 23, I really can't.
21 I can't conceive it as a conversation we would have
22 had, frankly.
23 Q That is the nature of the
24 hypothetical. It does not matter whether you can
25 conceive of it or not. You are simply asked to

Page 36

1
2 presume, even if it's a totally absurd situation.
3 A I have given you the best answer.
4 Q You are asked to assume that it's
5 occurring. Fine. You are telling me that you just
6 can't conceive of that occurring?
7 A That is correct.
8 Q And you are telling me you have no
9 idea what you would say to your daughter if she
10 asked such a question?
11 A I think at 23 I would have said, you
12 are an adult, make your own decision.
13 Q Do you think it's good for my health,
14 Daddy, or bad for my health? What would your
15 answer have been?
16 MR. LONG: I am going to continue
17 to object to this line of questioning as
18 speculation and conjecture. We are here to
19 get facts. This is not an expert witness,
20 and I don't understand the hypothetical
21 question.
22 Arthur, again, if you know what you
23 would do in this situation, fine, answer.
24 But you are not required to engage in
25 speculation.

682705645

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(10)

Page 37

1
2 MR. ROSENBLATT: You are required
3 under Florida law to answer questions unless
4 you can assert the privilege by making an
5 objection, such as the one you have made.
6 You are obviously tipping off a
7 sophisticated witness as to what you want
8 him to say. You know, you object to form,
9 make your objection. You have got a perfect
10 right to do that. But to tell the witness
11 at each point that you don't like the
12 question and what he is here for.
13 He is basically here to answer
14 questions, even though you may think the
15 questions are dumb or inappropriate.
16 MR. LONG: And I am here to make
17 objections.
18 MR. ROSENBLATT: But not speaking
19 objections.
20 Speaking objections are not permitted
21 in Florida.
22 Objections as to form and privilege,
23 but speaking objections are not appropriate.
24 MR. LONG: I will make my
25 objections as to form and say why I don't

Page 38

1
2 like the form. I have to preserve it.
3 Q In the hypothetical, Mr. Stevens, if
4 your daughter said to you, do you think smoking is
5 good for my health or bad for my health, what would
6 you say to your daughter?
7 MR. LONG: Same objection as to
8 form.
9 A I would say there is enough
10 information out there for her to make her own
11 judgment on that issue.
12 Q What is the information out there as
13 to whether smoking is healthy or unhealthy?
14 MR. LONG: At this point, again, I
15 am going to raise an objection. Getting
16 back to Mr. Stevens' role as General Counsel
17 for Lorillard for a number of years, since
18 1969, Mr. Stevens, of course, has gathered
19 information concerning smoking and health in
20 that time.
21 I think it would be impossible for
22 Mr. Stevens to separate what he learned as
23 General Counsel from anything else. And for
24 that reason, to the extent that Mr. Stevens
25 thinks his answers would require divulging

Page 39

1
2 knowledge and information gained as General
3 Counsel, I am going to instruct him not to
4 answer the questions.
5 MS. ROSENBLATT: As a member of
6 the Board of Directors of the Council for
7 Tobacco Research, as a Vice President of
8 Lorillard, and now Senior Vice President
9 of Lorillard, and in view of the multiple
10 meetings Mr. Stevens has had where other
11 people have attended, in my opinion it
12 almost borders on absurdity to assert an
13 attorney-client privilege when asked about
14 the information that is available as to
15 tobacco and health types of questions.
16 And if that is going to be your
17 position, the deponent obviously will
18 have to come to Miami to complete this
19 deposition. Because it is one thing if
20 there is a question asked as to a
21 conversation he has had with Andrew Tisch
22 where there is some possibility of
23 attorney-client privilege, you know, that
24 you could assert a privilege, but to assert
25 it across the board clearly in his role as

Page 40

1
2 a member of the Board of Directors and
3 attending all of the meetings of the Council
4 of Tobacco Research, the discussion of the
5 health consequences of smoking has come
6 up, and that is not something that deals
7 with his role as the General Counsel of
8 Lorillard.
9 So you are just across the board
10 asserting the privilege as to anything on
11 the merits in this litigation?
12 MR. LONG: No, if you want to ask
13 him a specific question as to what knowledge
14 he gained as a CTR Director, that is not an
15 objectionable question. But the problem
16 with taking an attorney's deposition is,
17 according to the case law, and this makes
18 sense, it is so difficult for a person who
19 is an attorney to parse out what he knows
20 from his role as an attorney, what is
21 privileged, what is work product.
22 And the case law indicates that taking
23 an attorney's deposition certainly is
24 difficult because of the potential of waiver
25 of the privilege in some form. And I am not

682705646

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(11)

Page 41

1
2 going to sit here and allow him to answer
3 questions and then going to be faced with an
4 argument on your behalf that he has waived
5 it because the question was not specific
6 as to things learned outside his role as
7 General Counsel.
8 Again, if you want to ask him what
9 he knows, what he has learned as a CTR
10 Director, that is why we are here. If you
11 don't want to separate that out from
12 General Counsel, then we have a problem.
13 MS. ROSENBLATT: Well, the New York
14 case law, I have reviewed it on attorney-
15 client privilege, makes it very difficult
16 to assert that privilege where someone
17 is wearing several hats. And your
18 interpretation of the law, either Florida
19 or New York, is just totally inaccurate.
20 I mean, it's just totally -
21 MR. LONG: It may be different than
22 yours.
23 MS. ROSENBLATT: The New York case
24 law, if anything, places a much heavier
25 burden on someone asserting an attorney-

Page 42

1
2 client privilege, particularly where third
3 parties have ever been present in any types
4 of conversations.
5 And he is also being deposed in his
6 role as Senior Vice President. He is
7 presently Senior Vice President. He was
8 Vice President. So he obviously learned
9 many things in that role, and you are
10 saying, well, it's similar to the position
11 on the Special Products Division, you are
12 trying to hide behind the whole attorney-
13 client thing.
14 So we are just going to have to
15 proceed another time and come back with
16 these questions, but my suggestion is to
17 just ask the questions and let him assert
18 his privileges.
19 BY MR. ROSENBLATT:
20 Q You said that certain information was
21 out there in the public domain concerning the issue
22 of smoking and health.
23 In your capacity as Vice President of
24 Lorillard, on the Board of Directors of the Council
25 for Tobacco Research, what information is out

Page 43

1
2 there? Is smoking healthy or bad for you?
3 A I think the general public has an
4 awareness reinforced over many, many years of the
5 statistical association that is out there with
6 respect to cigarette smoking and health.
7 Q That is not what I asked you, Mr.
8 Stevens. I asked you, from your standpoint, is
9 smoking healthy or unhealthy?
10 A Well -
11 Q Is it good for you, is it neutral, is
12 it bad for you?
13 A I am saying to you, I understand that
14 there is a considerable body of information,
15 statistical information that associates cigarette
16 smoking with certain diseases, but that the actual
17 cause of many of the diseases associated with
18 cigarette smoking has not scientifically been
19 proved.
20 And it is my understanding that that
21 split of view is well known to the public and is
22 the subject of a great deal of discussion. It's
23 at the very essence of much of the government's
24 program.
25 It's at the foundation of some of the

Page 44

1
2 warning notices. And that the so-called smoking
3 and health controversy is a well, very well known
4 controversy.
5 Q So what you are telling me is that
6 the information out there is confusing. You are
7 telling me there is one body of information that
8 says it's dangerous, it's bad for your health. And
9 there is another body of information that says it's
10 not?
11 A Well, I didn't suggest that that was
12 confusing. I said that that is -
13 Q You don't think that is confusing to a
14 layman? There are these experts that say it's bad
15 for you, and there are these experts that say it's
16 not bad for you. Isn't that confusing to a lay
17 person?
18 A I don't know that every lay person
19 is confused by a disparity of opinions on that
20 subject, or any other subject.
21 The government has different views on
22 other subjects than a lot of the public does. Is
23 the public confused, I don't know. That is your
24 term, not mine.
25 Q Well, how is a guy who enjoys smoking

682705647

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(12)

Page 45

1
2 supposed to figure out whether he should stop or
3 not stop, when according to you there are two
4 bodies of opinion, one which would presumably say
5 it is okay to keep smoking, and the other which
6 would say stop smoking immediately?
7 A The same way that person makes any
8 other judgment on an issue where there are various
9 opinions. He evaluates those pieces of information
10 that are available to him, and he makes his own
11 judgment.
12 Q Can you name me one doctor unconnected
13 with the tobacco industry who disagrees with the
14 Surgeon General's warnings?
15 A I don't have a roster of doctors or
16 scientists by name who have opinions on that
17 subject, or any others.
18 Q I am not asking you for a roster, I am
19 asking you for one.
20 A Well, a roster would include one or
21 ten. I don't keep a list of names.
22 Q The warning on the packages - how
23 many brands does Lorillard make?
24 A Five, or six, or seven.
25 Q What are the major ones?

Page 46

1
2 A Kent, True, Newport, Old Gold; those
3 are the principal brands.
4 Q Which is the best seller today?
5 A Newport.
6 Q The warning that is on a package of
7 Newport that uses the word "cancer", what does the
8 warning say?
9 A It is preceded by attribution to the
10 Surgeon General. It says, "Warning, cigarette
11 smoking causes lung cancer, heart disease,
12 emphysema." Perhaps not in that order, but I think
13 those are the diseases specified in that warning
14 notice.
15 Q So even though that warning says that
16 cigarette smoking causes cancer, it does not say
17 anything about a statistical association, it says
18 it causes cancer, heart disease and emphysema. You
19 are saying that that is really not true, has not
20 been scientifically proven?
21 A I said that the warning notice is
22 attributed to the Surgeon General. My
23 understanding is that the Surgeon General reaches
24 that conclusion on the basis of a compilation of
25 studies that he performs periodically. That it's

Page 47

1
2 not on the basis of tests which scientifically
3 demonstrate the basic mechanism for the cause of
4 lung cancer. That it's a compilation of studies.
5 That there are studies to the contrary.
6 Q I am simply asking you, from your
7 standpoint as Vice President of Lorillard, the
8 Surgeon General's warning that is on Lorillard
9 products which says cigarette smoking causes lung
10 cancer, heart disease, emphysema and may complicate
11 pregnancy, as far as you are concerned that is an
12 untrue statement, based on what you have already
13 just told me?
14 A I said to you, I think it's not based
15 on scientific tests that have demonstrated
16 causation.
17 Q Have you read any of the Surgeon
18 General's reports?
19 A I have read many of the Surgeon
20 General's reports.
21 Q And it is your opinion that in terms
22 of the Surgeon General's reports, he is not basing
23 it on studies which show that causal relationship?
24 MR. LONG: I am going to again
25 interpose an objection here. It seems to me

Page 48

1
2 if you are getting into a line where he has
3 read these reports as General Counsel, and
4 you are asking his opinions on these reports
5 as General Counsel, that is clearly a
6 privileged area involving the work product
7 and the attorney's opinions.
8 And if that is the case, if that is
9 where he read these things, in that
10 capacity, I am going to instruct him not to
11 answer.
12 I am not going to risk a waiver of the
13 attorney-client privilege or work product
14 privilege here.
15 MS. ROSENBLATT: Well, it is our
16 position, as a member of the Board of
17 Directors of the Council for Tobacco
18 Research and as a Senior Vice President of
19 Lorillard, he will have read those in that
20 capacity, as well.
21 MR. LONG: Why don't you ask him
22 that?
23 MS. ROSENBLATT: I don't think it
24 is necessary to ask him that, because when
25 he reads a report - I don't think that we

682705648

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(13)

Page 49

1
2 have to characterize these questions. But
3 if you want to do that - I think we are
4 getting into an area of real silliness.
5 If I have to ask this witness, at his
6 level of sophistication, at his level of
7 experience with the tobacco industry, well,
8 Mr. Stevens, when you read the Surgeon
9 General's report, were you wearing your hat
10 as Director of CTR or were you wearing your
11 General Counsel's hat? I mean, that is
12 absurd.
13 MR. LONG: I think, for purposes
14 of simplicity, we can assume that all of
15 these questions are being asked, in view
16 of your objection, in his role as Senior
17 Vice President, in his prior role as
18 Vice President of Lorillard, and in his
19 role as Director of the Council for Tobacco
20 Research, without having to restate that
21 with each question.
22 We still take the position that these
23 things are discoverable, in his role as
24 General Counsel, as well, without waiving
25 that, but for purposes of every question,

Page 50

1
2 it is in all of his roles other than as
3 General Counsel, just to facilitate this
4 deposition.
5 Is that okay?
6 MR. ROSENBLATT: Sure, yes.
7 MR. LONG: Let me again state, I am
8 not going to state our position again on
9 allowing him to answer questions interposed
10 by counsel.
11 You may refer to the silliness, but
12 to me, you have noticed a witness that you
13 know is General Counsel of Lorillard, yet,
14 you intentionally noticed him as a CTR
15 Director.
16 We didn't file a protective order on
17 that basis, because what he does as CTR
18 Director is not in his role as General
19 Counsel, but then you come in and say, we
20 are entitled to go into his role as General
21 Counsel, as well.
22 There are a number of cases that have
23 allowed depositions of lawyers to be quashed
24 on grounds that are well known. You are
25 prefacing questions in his role as both

Page 51

1
2 General Counsel and Vice President.
3 I think, as Mr. Stevens indicated
4 earlier, the Vice President title
5 designation carried no additional
6 responsibilities outside the role of
7 General Counsel. It was simply a position
8 of seniority.
9 MS. ROSENBLATT: In his role as
10 Vice President, and as a member of the
11 Board of Directors for the Council of
12 Tobacco Research, he is obviously interested
13 in reading the various Surgeon General
14 reports, and I don't think it is possible
15 at times to distinguish how many hats he is
16 wearing.
17 The fact that he is wearing a hat in
18 addition to that of General Counsel does not
19 cloak everything with privilege.
20 And if he is taking the position that
21 as a member of the Board of Directors of the
22 Council for Tobacco Research he does nothing
23 and doesn't read Surgeon General reports and
24 cannot answer the question, you know, assert
25 the privilege, but, you know, you are just

Page 52

1
2 frustrating this whole deposition. You are
3 making it very difficult to proceed.
4 MR. LONG: What is frustrating is
5 that you take a General Counsel and notice
6 him as CTR Director, and claim that that
7 includes all areas.
8 What is frustrating is when you say
9 you can question him as Vice President, when
10 that is a level of seniority.
11 The office of Vice President carries
12 no duties which are outside his role as
13 General Counsel.
14 If you want to ask him that, I think
15 he will confirm that. If you want to ask
16 what he read, what he did as a CTR Director,
17 let's get to that.
18 MS. ROSENBLATT: He is a Senior
19 Vice President of Lorillard, and as a Senior
20 Vice President he is involved with liaison
21 related to industry activities, public
22 relationships, governmental relationships.
23 The liaison aspect would certainly
24 cover health problems when he is talking
25 about other industry activities, and you

682705649

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(14)

Page 53

1
2 know, we are not limited to his being a
3 member of the Board of Directors of the
4 Council for Tobacco Research.
5 As I stated, all of the questions will
6 presuppose - will incorporate the fact
7 that he is the Senior Vice President of
8 Lorillard, and that he is a member of the
9 Board of Directors, and let's just proceed
10 with the questions.
11 MR. LONG: Again, as far as being
12 the Senior Vice President, that carries
13 nothing with it except the title of
14 seniority. The same way that a junior
15 attorney would, or an associate, or a
16 partner in a law firm. That is just a
17 question of longevity, of seniority.
18 And when you were asking questions
19 about his external affairs role, I made no
20 objections.
21 MS. ROSENBLATT: He testified
22 earlier that his scope of activities changed
23 as Senior Vice President, and what you are
24 saying is contrary to his testimony under
25 oath 20 minutes ago.

Page 54

1
2 MR. LONG: No, it's not.
3 MS. ROSENBLATT: He talked about
4 his role at Lorillard, separate and apart
5 from General Counsel. He became Senior
6 Vice President.
7 There is a list of three areas where
8 he had activity, in government relations,
9 public relations, and liaison with various
10 organizations related to industry
11 activities.
12 And now you are saying that is not
13 true, and all that has happened is because
14 he has been there a long time, they called
15 him a Senior Vice President, General
16 Counsel, so -
17 MR. LONG: As I said earlier, when
18 you asked him questions about government
19 relations, I made no objection. I think
20 you think that somehow when you have got a
21 different title, Vice President, that
22 expanded his external affairs.
23 I think he testified, as the company
24 grew, things got larger in scope, but not
25 in the subject area. Again, I will let

Page 55

1
2 him testify about external affairs or CTR
3 Director, but we are not going to sit here
4 and testify about what he learned and what
5 he knows as General Counsel of a Defendant
6 in this case.
7 Why don't you go back to your last
8 question about reading the Surgeon General
9 reports, and either have it read back, or
10 ask it again, and we can proceed.
11 BY MR. ROSENBLATT:
12 Q Isn't it true that the Surgeon
13 General's reports and conclusions are based on
14 scientific and medical studies, at least as
15 contained in the Surgeon General's reports, which
16 show causation between smoking and lung cancer,
17 between smoking and heart disease, between smoking
18 and emphysema?
19 MR. LONG: Arthur, if you have
20 studied the reports only in your role as
21 General Counsel, say so, and then it is
22 going to be privileged.
23 A The point exactly is that every
24 examination I have ever made of the Surgeon
25 General's report and of smoking and health-related

Page 56

1
2 matters is in my capacity as General Counsel, and
3 that is because they relate to smoking and health
4 litigation.
5 Therefore, my view of them, my
6 examination of them, my opinions of them, were in
7 connection with and were formed in my role as
8 General Counsel.
9 Q Have you expressed those opinions at
10 meetings of the Board of Directors of the Council
11 for Tobacco Research?
12 A I have not.
13 Q It just never came up at those
14 meetings? No one ever asked you for your opinion
15 on that subject, and you never voluntarily
16 expressed it?
17 A That is correct.
18 Q When did you first have any dealings
19 with the Council for Tobacco Research?
20 A Almost immediately upon my coming with
21 Lorillard, in 1969.
22 Q And what were those dealings?
23 A A cognizance of the activities of a
24 CTR, an awareness of what the Council was, and what
25 it did. And I attended meetings of the Council for

682705650

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(15)

Page 57

1
2 Tobacco Research Board of Directors.
3 Q When did you become a member of the
4 Board of Directors of CTR?
5 A I believe in 1979.
6 Q '79?
7 A I believe in 1979.
8 Q Well, during the period from '69 to
9 '79, did you attend meetings?
10 A Yes, I did.
11 Q In what capacity?
12 A In my capacity as General Counsel to
13 the Chief Executive of Lorillard, who attended the
14 meetings as a member of the Board of Directors.
15 Q Had you ever heard of CTR before you
16 took the job with Lorillard?
17 A Not that I know of.
18 Q When you first got involved with and
19 knowledgeable about CTR, who was the President of
20 CTR?
21 A I think it was Clarence Cook Little.
22 Q What was Mr. Little's background?
23 A My understanding is, he was a
24 scientist. His precise discipline, I don't know.
25 Although I think he was a biologist.

Page 58

1
2 He had been an award-winning designee,
3 I think at the Woods Hole Laboratories.
4 Q Who was President after Mr. Little?
5 A I think Dr. Gardener, William
6 Gardener.
7 Q What was his background?
8 A He was in - I don't recall whether
9 Dr. Gardener was a Ph.D. or M.D., but his specialty
10 was cancer research, as I recall.
11 He had been President of the
12 International Cancer Union, or I may have the title
13 wrong, but it was a prestigious cancer research
14 entity.
15 Q What institution was Dr. Gardener
16 connected with, if any; medical school, hospital?
17 A I don't recall.
18 Q How about Mr. Little, do you know what
19 institution he was associated with?
20 A He was not a medical doctor.
21 Q No, I understand.
22 A As far as I know, his prior connection
23 had been to Woods Hole. He may have been in the
24 government, I am not certain.
25 Q Who was -

Page 59

1
2 A He was only around a short time after
3 I arrived.
4 Q Who was President after Dr. Gardener?
5 A Charles Summers (phonetic).
6 Q And -
7 A No, I am sorry, that is not true.
8 That is not true. The President, no, I think -
9 let me correct myself. I think Dr. Little was
10 Scientific Director, and whether he had the title
11 of President or not, I don't know.
12 Q Okay.
13 A Dr. Gardener was scientific Director,
14 and the President at that time, I think, was Henry
15 Raam, R-a-a-m.
16 Q What was Mr. Raam's background?
17 A He was an R.J. Reynolds retiree.
18 Q How long was he President of CTR?
19 A Four or five years. I am not exactly
20 sure the term of his tenure.
21 Q What was Mr. Raam's background?
22 A He was an attorney.
23 Q As far as you know, no medical or
24 scientific background?
25 A He - other than that perhaps acquired

Page 60

1
2 as an attorney at Reynolds.
3 Not in terms of formal training, that
4 I am aware of.
5 Q In 1969, what was your understanding
6 of the purpose of CTR?
7 A To fund independent scientific
8 research into tobacco use and health, with funds
9 supplied by the tobacco industry. Through a
10 procedure of principally grants and aid to
11 independent researchers to communicate - to
12 investigate that subject and communicate it to the
13 public.
14 Q Has that role changed any, right up
15 until the present time?
16 A No, not to my knowledge.
17 Q That is still essentially the
18 function?
19 A Yes, sir.
20 Q How is that information communicated
21 to the general public?
22 A In a variety of ways. The research
23 grants are published in peer review publications by
24 the investigators.
25 The Council for Tobacco Research

682705651

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(16)

Page 61

1
2 issues an annual report, with an abstract of all of
3 the investigations which have been the subject of
4 publication during that year.
5 That report is widely disseminated
6 to scientific and academic institutions, and
7 libraries. It's the subject of a press release to
8 the general media by the Council.
9 In many instances the institution of
10 which the grantee - with which the grantee is
11 affiliated, will publish the work or will publicize
12 its publication.
13 I understand that frequently the peer
14 review publication, itself, will publicize or
15 feature in press releases and communications to the
16 medical and scientific community the fact that the
17 work has been published.
18 In many instances the investigator, in
19 addition to publishing his work, and I emphasize
20 that it's in peer review publications, will
21 frequently make it the subject of a presentation of
22 medical and scientific information.
23 And it's not unusual for a CTR
24 grantee's publication to be the subject of general
25 media attention, New York Times, Wall Street

Page 62

1
2 Journal. Things of that sort.
3 Q When was the Council for Tobacco
4 Research originally formed, even if it may have had
5 a different name at one time?
6 A I learned in 1969 that it had been
7 formed in 1954.
8 Q And is it your understanding that its
9 charter, its mandate, its purpose has been
10 essentially the same from '54 until today?
11 A Yes, sir.
12 Q Well, are they any closer to answering
13 the fundamental question as to whether or not
14 cigarette smoking causes disease?
15 A They are no further away nor closer
16 than any other part of the scientific or medical
17 community is. It's an ongoing subject.
18 It receives a great deal of time and
19 attention of the medical community and the
20 scientific community, not just the CTR.
21 Q When do you think there is going to be
22 an answer to the question, does cigarette smoking
23 cause lung cancer, to be specific?
24 Do you think there will ever be an
25 answer?

Page 63

1
2 A I have no idea. I am not able to
3 crystal ball the future of science.
4 Q My goodness, I mean, that is almost
5 40 years. They are still spending millions of
6 dollars. We are still researching. We still don't
7 have an answer.
8 In your opinion, although not in the
9 mind of the Surgeon General, but in your opinion
10 and the opinion of the tobacco industry, there is
11 still not a definitive answer as to whether or not
12 cigarette smoking causes lung cancer or heart
13 disease, is there?
14 A No, but no more so than there is an
15 answer as to what causes a whole host of other
16 types of cancer. The subject of causation of
17 cancer is an extremely complex issue. One that we
18 all hope will be solved in our lifetime.
19 Q Well, I don't know that we all do hope
20 that. I don't know that the tobacco industry's
21 executives really hope that, because as long as it
22 remains an open question, you keep on selling your
23 cigarettes to people who say, well, hey, it has not
24 been proven.
25 If it were proven, that could hurt

Page 64

1
2 business; isn't that true? Isn't that true?
3 A I am sorry, would you repeat the
4 question?
5 Q Yes.
6 Obviously, if it were proven and
7 established in the public mind 100 percent that
8 cigarette smoking does, in fact, cause cancer,
9 heart disease, and other diseases, that would hurt
10 business, wouldn't it?
11 A It might.
12 Q It might, Mr. Stevens?
13 A Yes, it might.
14 Q You are not sure about that, that it
15 would obviously hurt business, it only might hurt
16 business?
17 A That is my testimony. It might hurt
18 business, yes.
19 Q Is there anything on the horizon that
20 you see where you know, within a year, or two, or
21 five years, through all the money being spent and
22 all the grants being issued by CTR, that there is
23 going to be a definitive answer to that question?
24 A I am unable to answer that question.
25 I am not involved in every research, and every

682705652

BSA

BROEN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(17)

Page 65

1
2 laboratory, and every bench, either in connection
3 with the CTR-funded work or any other work.
4 Q But the CTR is, according to your
5 understanding, presently aggressively researching
6 that very issue, does cigarette smoking cause
7 cancer, heart disease and other diseases?
8 A Let me make clear the CTR itself does
9 not do any research. It funds independent research
10 by other grantees.
11 Yes. Yes, sir, that is being, amongst
12 other issues, aggressively researched.
13 Q Okay.
14 Would you say, if you had to say the
15 chief focus, and I understand that CTR, itself,
16 does not do the research, it issues grants. But
17 would you say that that is - that is, in fact, and
18 always has been the main focus of CTR, to really
19 answer that question, try to answer that question
20 in a definitive way, and really has not done it as
21 yet?
22 A The CTR's research program is not
23 limited to cancer research.
24 Q Nor was my question. My question -
25 A But you kept saying cancer research.

Page 67

1
2 diseases. Those are the mechanisms that they are
3 examining.
4 Q Do you read the research results every
5 year as they come out?
6 A I read some of the research results.
7 I certainly look with some care at the annual
8 report, which contains abstracts.
9 However, there are hundreds of
10 abstracts in number. Some 300, I think, were
11 published in 1992, which was the subject of the
12 last report.
13 From time to time, I will read a
14 fuller abstract as it appears in a peer review
15 journal. I do not read, nor do I have familiarity
16 with every publication which is the subject of a
17 CTR grant.
18 I might add that all of that reading
19 is in connection with my capacity as General
20 Counsel.
21 Q Why would none of that reading be done
22 in your capacity as a Director of CTR?
23 A Because the responsibility for the
24 determination of the program and the research at
25 CTR is solely and wholly the function of the

Page 66

1
2 Q No, my question -
3 A Could we hear the question, sir?
4 Q Let me - my question was, the focus
5 of the CTR is on the question of does cigarette
6 smoking cause cancer, heart disease and other
7 diseases. I am talking about a broad spectrum.
8 A The CTR's program is directed to a
9 variety of diseases which are asserted to be
10 related to cigarette smoking. They include cancer,
11 heart disease, respiratory infections.
12 Q And that was the focus of the CTR from
13 1954 until today, does cigarette smoking cause
14 disease?
15 A Yes, and it extends beyond lung
16 cancer, heart disease, and emphysema. That is my
17 point. The scope of the research extends beyond
18 those diseases that you have enumerated.
19 Q Well, what other diseases are
20 associated with cigarette smoking other than cancer
21 and heart disease?
22 A Well, I can - I would rather tell you
23 that the CTR focuses on heart disease, respiratory,
24 circulatory problems, physiology, immunology,
25 biochemistry, cell biology, rather than the

Page 68

1
2 Scientific Advisory Board, an independent group.
3 So I am reading this information after
4 the fact, and I am reading it in my capacity as
5 General Counsel, so that I am aware, generally
6 speaking, of the current science in relation to
7 smoking and health as it relates to litigation.
8 Q Do you have anything to do with the
9 issuing of grants by CTR?
10 A No.
11 I hesitate, because the tobacco
12 companies supply the funds, and the funds are used
13 for the grant. But the actual determination of a
14 grant, any - I have absolutely nothing to do with.
15 (Whereupon, Mr. Bonner entered the
16 room.)
17 Q Who decides whether - I mean,
18 obviously, there is a finite amount of money to be
19 spent, and I assume there are more applications
20 asking for money than could be granted; is that
21 assumption correct?
22 A I believe so.
23 Q Okay.
24 So, who makes the decision, yes to
25 this grant, no to that grant application?

682705653

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(18)

Page 69

1
2 A The Scientific Advisory Board of the
3 Council for Tobacco Research.
4 Q Do you ever attend those meetings?
5 A I do not attend those meetings.
6 Q Who is the President for the Council
7 of Tobacco Research?
8 A Dr. James Glenn.
9 Q What kind of doctor is he?
10 A He is a medical doctor.
11 Q What field, do you know?
12 A I think his specialty was urology, or
13 is urology.
14 Q Do you have contact with him?
15 A I do.
16 Q How frequently?
17 A A couple of times a year, three, four,
18 five times a year.
19 Q The Council for Tobacco Research has
20 its main office, where?
21 A Here in Manhattan.
22 Q How far is your office from that
23 office?
24 A 20 blocks, 23 blocks.
25 Q How often do you have occasion to

Page 70

1
2 physically be at the CTR offices in Manhattan?
3 A Almost without exception, I would say
4 twice a year, perhaps three times.
5 Q And what are those occasions when you
6 go there?
7 A Attendance at Board of Directors
8 meetings, or an annual meeting for the Council of
9 Tobacco Research.
10 Q What is the purpose of the Board of
11 Directors meetings?
12 A To conduct the business of the Board
13 as it relates to the Council.
14 Q Well, what is the business of the
15 Board as it relates to the Council?
16 A Similar to that of the Board of
17 Directors of any other organization, it oversees
18 its general purpose and function.
19 It has some ministerial and fiscal
20 responsibilities.
21 Q Does anyone else from Lorillard, other
22 than you, attend the Board of Directors meetings of
23 CTR?
24 A Yes, sir.
25 Q Who?

Page 71

1
2 A Dr. Alex Spears.
3 Q Anyone else?
4 A No, sir.
5 Q Mr. Tisch does not go?
6 A He does not.
7 Q Who attends, for R.J. Reynolds,
8 meetings?
9 A Whoever their representatives on the
10 Board of Directors happen to be, from time to time.
11 Occasionally, perhaps one of their counsel.
12 By the way, I can't assert
13 unequivocally that Mr. Tisch has never attended,
14 but I do not recall that he has.
15 Q Who are the members of the Board of
16 Directors of the Council for Tobacco Research?
17 A They are executives from each of the
18 tobacco companies, which support the Council
19 financially.
20 Q And those tobacco companies are, in
21 addition to Lorillard, who else?
22 A Philip Morris, Reynolds, Brown &
23 Williamson, and American Tobacco. And there are
24 some additional grower's groups or wholesaler's
25 groups. But you asked for, and I supplied you

Page 72

1
2 with, the names of the cigarette manufacturing
3 companies.
4 Q Do the Presidents and CEOs usually
5 attend?
6 A Those who attend normally are the
7 company representatives who are on the Board of
8 Directors, and that is over the years a changing
9 cast of people. Some of them are CEOs, some of
10 them are not.
11 If you want to ask me specifically
12 about an individual, and I can discern whether they
13 were or were not Chief Executive Officer, then I
14 can answer your question.
15 Q I am trying to get a handle as to
16 whether or not the usual attendance, and I
17 understand that the President or CEO may change
18 over a period of time, but usually in attendance at
19 a Board of Directors meetings of CTR, usually are
20 not the Presidents and/or CEOs attending those
21 meetings?
22 A You have stated it in the negative.
23 Are you asking me whether that is the usual
24 complement?
25 Q Yes.

Page 69 to Page 72

(212) 267-4150

STERLING REPORTING SERVICE, INC.

682705654

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(19)

Page 73

1
2 A Let me answer the question by saying
3 that the Board of Director representatives of CTR
4 usually are the chief tobacco operating company
5 executive, and sometimes the second director is a
6 person from the research and development function
7 of the manufacturing company.
8 In some instances, from time to time,
9 a cigarette company's Board of Director
10 representative may have been or is an attorney.
11 Q Well, you have told me, as I
12 understand it, that from Lorillard you and
13 Dr. Spears usually attend?
14 A We are the current members of the
15 Board of Directors from Lorillard.
16 Q Okay.
17 Does every other company usually send
18 two people, as a practical matter, to the Board of
19 Directors?
20 A Generally, yes.
21 Q Okay.
22 Now, in the case of Lorillard, neither
23 you nor Dr. Spears are President or CEO?
24 A That is correct.
25 Q Okay.

Page 74

1
2 How often does that happen with
3 respect to the other companies, that at a Board of
4 Directors meeting, the two representatives from a
5 cigarette manufacturing company would not be either
6 a President or CEO?
7 A I can't answer that without
8 speculating on past attendance. I just don't know.
9 Q Well, you wouldn't have to speculate.
10 You are there, you attend the meetings.
11 A But I don't have a photographic memory
12 of who has attended every meeting, and in what
13 capacity, sir.
14 Q I would have figured that you would
15 have a general memory.
16 Is it usually a President, is it
17 usually a General Counsel?
18 A I thought I answered your question and
19 said that most frequently the Board of Director
20 representative from the tobacco companies to the
21 CTR is the Chief Executive Officer of the tobacco
22 operating function, and the second one is sometimes
23 a senior or the senior research and development
24 person, and sometimes the second representative is
25 an attorney.

Page 75

1
2 Q Why doesn't Mr. Tisch go?
3 A Because he is not a member of the
4 Board of Directors.
5 Q Why isn't he? Obviously, if he wanted
6 to be, he would be.
7 A Because he and/or his predecessor
8 selected Dr. Spears and me.
9 Q Do you know why?
10 I mean, does he find the meetings
11 boring and he would rather have you go?
12 A No, sir, that is not the reason.
13 Q Well, what is the reason?
14 A The reason Dr. Spears is a
15 representative is because --
16 Q I am not asking why he is a
17 representative, I am asking why doesn't Mr. Tisch
18 go? Why did Mr. Tisch choose to have the two of
19 you go rather than him go?
20 A Because he chose to have his senior
21 scientific person as a representative, and his
22 senior external affairs person as a representative.
23 Q And my question to you is, do you know
24 why he made that decision?
25 A Well, for one thing, we were in place

Page 76

1
2 when he became Chief Executive, so he reaffirmed
3 that. And his -- my assumption is that he feels we
4 are the best people suited to represent the company
5 at the Council for Tobacco Research.
6 Q After one of those meetings, do you
7 give Mr. Tisch or anyone else a report, a detailed
8 report as to what occurred at the meeting?
9 A Sometimes, yes, not always. From time
10 to time we will.
11 Q Okay.
12 A Sometimes more detailed than others.
13 Q Is a permanent record kept of those
14 memorandums, reports, however they may be
15 designated?
16 A They are oral reports.
17 Q Oral reports?
18 A Yes, sir.
19 Q Never in writing?
20 A They are oral reports. Never in
21 writing.
22 Q Is that by design?
23 A Not that I am aware of.
24 Q I mean, you never got an instruction,
25 "Don't put anything in writing, just give it to me,

682705655

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(20)

Page 77

1 orally?"
 2 A No such instruction.
 3 Q It just worked out that way?
 4 A That is our practice.
 5 Q Okay.
 6 How long do these meetings generally
 7 last?
 8 A Which meetings?
 9 Q The meetings we have been talking
 10 about.
 11 MR. LONG: You are talking about
 12 two meetings; are you talking about my
 13 meetings with Mr. Tisch after the other
 14 meetings?
 15 Q Okay.
 16 I will be more lawyer-like so you will
 17 be more comfortable.
 18 A No, so I will be more precise. I am
 19 not uncomfortable.
 20 Q I have a tendency to be very
 21 imprecise, which probably explains my success in
 22 front of juries.
 23 Yes, the Board of Director meetings,
 24 how long do they usually last?
 25

Page 78

1
 2 A About two hours.
 3 Q Who generally chairs those meetings?
 4 A The President, Dr. Glenn.
 5 Q Are minutes taken?
 6 A Yes.
 7 Q By who, usually?
 8 A The secretary of the Council for
 9 Tobacco Research, Lorraine Pollice.
 10 Q Has she been doing that for a number
 11 of years?
 12 A For as long as I have been involved,
 13 as best I recall.
 14 Q Is it a verbatim taking of minutes?
 15 I mean, does she take shorthand or use a court
 16 reporting-type of machine?
 17 A She does not use a shorthand machine,
 18 and I do not think the minutes are a verbatim
 19 transcript.
 20 Q Okay.
 21 Are you sent a copy of those minutes?
 22 A Yes, sir.
 23 Q And, I mean, are the minutes
 24 themselves, when they are transcribed, are we
 25 talking about two or three pages or twenty pages?

Page 79

1
 2 A Two or three pages.
 3 Q And do you retain them?
 4 A I do.
 5 Q You have possession and control of
 6 them?
 7 A Yes.
 8 Q Okay.
 9 What is usually discussed at these
 10 meetings, in specific terms? I mean, do you
 11 discuss the giving of grants; do you discuss
 12 general policy?
 13 A The meetings generally consist of a,
 14 both general and specific review of - by Dr.
 15 Glenn, of the activities of the Council in the
 16 ensuing period, between the last meeting and that
 17 meeting.
 18 The June meeting is generally an
 19 update since the prior year-end December meeting;
 20 a report of the number of grants that have been
 21 approved, and any fiscal or administrative or
 22 personnel matters, some discussion perhaps of a
 23 particular grantor, a grantee that is of unusually
 24 noteworthy value because of the prestige of the
 25 investigator or the institution or the nature of

Page 80

1
 2 the work.
 3 There will sometimes be a discussion
 4 of new areas in which grant applications are being
 5 received. There will be a report as to whether the
 6 SAB has met in the interim period.
 7 The June meeting will frequently, and
 8 I may have this confused with the December meeting,
 9 I am not positive, but at one or more meetings of
 10 the Board it's not unusual for a grantee, either
 11 past or present, or some other researcher, whether
 12 or not a CTR grantee, to make a presentation of a
 13 particular research activity that is under way or
 14 that has just been published, rather technical and
 15 rather detailed.
 16 And at the December meeting, there is
 17 a consideration and a formal approval of the budget
 18 for the next year.
 19 Q There is a June meeting and a December
 20 meeting?
 21 A Yes.
 22 Q I was under the impression the Board
 23 of Directors met more frequently than twice a year.
 24 A No, I think they meet twice a year.
 25 Q Twice a year?

682705656

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(21)

Page 81

1
2 A Yes.
3 Q Are both those meetings generally held
4 at the New York office of CTR?
5 A Yes.
6 Q Is there any kind of annual convention
7 of the tobacco industry where the President of CTR
8 attends, and you attend, as well?
9 A No, sir.
10 Q What was the amount of the last budget
11 for CTR?
12 A Approximately \$26 million.
13 Q Has that been fairly consistent within
14 the last four or five years?
15 A Certainly within the last three or
16 four years. Whether five or six - over the last
17 number of years.
18 Q Who is the No. 2 person at CTR after
19 Dr. Glenn, if you know?
20 A I am drawing a blank on the name of
21 the scientific director. It will come to me.
22 Q McAllister?
23 A Yes, Harmon McAllister.
24 Q How often do you have occasion to
25 interact with him, with Dr. McAllister?

Page 82

1
2 A Very rarely, other than in connection
3 with the Board meetings and one - at least once
4 a year in approximately - sometime in October,
5 Dr. Glenn and Dr. McAllister make calls on each of
6 the individual companies and sit with their CTR
7 Directors for a preliminary review of the budget
8 for the following year, so I had occasion to
9 interact at that time with Dr. McAllister.
10 Q Has the Lorillard contribution to the
11 budget been pretty constant within, let's say, the
12 last five years?
13 A Yes. Yes, it has.
14 Q And how much is that?
15 A About 1.6 million, 1.7 million.
16 Q How much does Philip Morris generally
17 put in?
18 A I don't know.
19 Q Who puts in -
20 A I mean, I have not done the
21 calculation. It's done on roughly a market share
22 basis, considerably more than that.
23 Q Other than attending the Board of
24 Directors -
25 A Do you mind if I stand?

Page 83

1
2 Q Not at all.
3 Other than attending the meetings of
4 the Board of Directors of CTR, what other
5 connection do you have with CTR?
6 A Other than in my capacity as a member
7 of the Board of Directors?
8 Q No, other than attending meetings.
9 I mean, if in your capacity of being
10 on the Board of Directors you do other things in
11 connection with CTR, that is what I am asking you.
12 A I have no involvement with the CTR
13 other than in my capacity as a Director. My other
14 involvements - I have no other involvements that
15 extend beyond my participation in Board meetings.
16 My participation in a preliminary
17 budget review, from time to time I will get a
18 telephone call from Dr. Glenn with respect to a -
19 an aspect of the CTR program that relates to my
20 role as Director, and he does not want to convene
21 a meeting, and he has an administrative or
22 ministerial matter.
23 This year I am serving as Chairman of
24 a Committee of the CTR Board of Directors known as
25 the Compensation and Succession Committee, which

Page 84

1
2 deals with, essentially, compensation for those
3 staff members at CTR whose salaries are above the
4 level which is delegated to the responsibility of
5 Dr. Glenn.
6 Q Explain that.
7 A Dr. Glenn has, has authority for
8 salary increases for staff members below a certain
9 level, and I think it's \$125,000 per annum. And
10 anything above that he needs to get approval from
11 the Board of Directors.
12 He does that by first reviewing it
13 with this Compensation and Succession Committee,
14 who make decisions on the basis of their
15 consideration, and act for the Board in that
16 regard.
17 Q Who else - I am sorry.
18 A It's not unusual - it's a function
19 not dissimilar to the compensation Board of any
20 Board.
21 Q Who else is on the Compensation and
22 Succession Committee?
23 A Mr. Campbell of Philip Morris,
24 Mr. James Johnson at Reynolds, Mr. Don Johnson
25 at American, and Mr. Tom Sandefur at Brown &

682705657

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(22)

Page 85

1
2 Williamson.
3 Q Is Dr. Glenn at the New York office
4 five days a week on a regular basis, as far as you
5 know?
6 A No, sir, he is not. His duties - his
7 duties require about 140 days a year, total. Most
8 of which, I would say about 120 of which are spent
9 at the New York office. The other 20 are spent in
10 CTR-related travel and business.
11 Q What does Dr. Glenn get paid?
12 A His compensation for 1993 is \$250,000.
13 Q Have you ever known Dr. Glenn before
14 he took the role as President?
15 A I had not met him personally.
16 Q What is -
17 A I am sorry - before his position at
18 CTR as -
19 Q President?
20 A Yes. I knew him in his prior position
21 at CTR as Scientific Director.
22 Q And it was in that capacity that you
23 first met him?
24 A That is correct.
25 Q What is the status of the 1,500

Page 87

1
2 you refer, is gained as a result of his
3 conversations with his litigating counsel
4 and is privileged information, and I am
5 instructing him not to answer.
6 Q What is the Special Projects Division
7 of CTR?
8 A All that I know about the Special
9 Projects Division of CTR in my role as a CTR
10 Director was that such a division existed. Every
11 other single bit of knowledge that I have about CTR
12 Special Projects, I acquired in function with - in
13 my role as General Counsel.
14 Q Well, at the various Board of
15 Directors meetings of CTR, certainly the work of
16 the Special Projects Division would be discussed
17 from time to time, wouldn't it?
18 A No.
19 Q This never came up?
20 A Other than a reference to it being -
21 in the context of its inclusion in a separate
22 financial statement reference, there was no
23 discussion of CTR's Special Projects at the CTR
24 Board of Directors meetings, of which I have any
25 knowledge.

Page 86

1
2 documents?
3 MR. LONG: I am going to object to
4 this question. This is clearly in the area
5 of his role as General Counsel. Clearly
6 an ambiguous question, what is the status.
7 But we are not going to talk about the
8 15,000 documents, those are privileged.
9 THE WITNESS: You mean 1,500?
10 MR. LONG: 1,500 documents.
11 Are we close to where we can take a
12 break?
13 MR. ROSENBLATT: Sure, you can take
14 a break at any time.
15 (Whereupon, a recess was taken at this
16 time.)
17 BY MR. ROSENBLATT:
18 Q Mr. Stevens, when I asked you about
19 the status of the 1,500 documents, as we were
20 talking about CTR, you knew what I was referring
21 to, didn't you?
22 MR. LONG: I am going to object
23 again. It's my understanding that the
24 totality of Mr. Stevens' knowledge
25 concerning the 1,500 documents, to which

Page 88

1
2 Q So you are telling me that as a
3 member of the Board of Directors of CTR, other
4 than knowing that there was such a thing as the
5 Special Projects Division, you had no idea in that
6 capacity, you had no idea of what the Special
7 Projects Division did or what its purpose was?
8 A In that capacity, that is correct.
9 Q Well, I certainly assume that after
10 the Wall Street Journal article appeared, and I am
11 sure you are familiar with that article, which
12 basically the - the thrust of which was that the
13 Council for Tobacco Research, and in particular
14 the Special Projects Division of the Council for
15 Tobacco Research, was a fraud and that its research
16 was a fraud.
17 That after that very negative article
18 about CTR and the tobacco industry was published
19 in the Wall Street Journal, was not the article
20 discussed at a Board of Directors meeting of CTR?
21 A Not to my knowledge.
22 Q How about after the Haines decision
23 received some publicity, and where Judge Sarokin
24 made the very insulting and negative statements
25 about the tobacco industry and about CTR, was

Page 85 to Page 88

(212) 267-4150

STERLING REPORTING SERVICE, INC.

682705658

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(23)

Page 89

1
2 that decision or anything said by Judge Sarokin
3 discussed at a Board of Directors meeting of CTR?
4 A Not to my knowledge.
5 Q And is it a fact that the Board of
6 Directors of CTR, as a policy, agreed not to
7 discuss these sensitive things, so that, as is
8 being done today, work product privilege, attorney-
9 client privilege could be asserted so as to allow
10 you not to answer questions dealing with these
11 sensitive topics?
12 A That is absolutely incorrect. I have
13 no knowledge of any discussion or consideration by
14 the CTR at any level, certainly not by the Board
15 of Directors, to engage in any policy of not
16 discussing any particular item at all in order to
17 cloak it in privilege.
18 Q The language of Judge Sarokin in the
19 Haines case was so strong and so powerful, it
20 just seems incredible to me that it would not be
21 discussed at a Board of Directors meeting, absent
22 an agreement that we should not discuss this. How
23 could that not come up?
24 A I can't speak for the other members of
25 the Board. It did not come up.

Page 90

1
2 Q How come you didn't mention it?
3 Did you see that article in the Wall
4 Street Journal?
5 A I did.
6 Q Did you see -
7 A I did.
8 Q Okay.
9 A In view of the fact that the Wall
10 Street Journal article, as I read it, was
11 predicated almost exclusively on Judge Sarokin's
12 opinion, and because in my judgment, Judge
13 Sarokin's opinion was so blatantly incorrect in its
14 premise and, therefore, in the Wall Street Journal
15 article's premise, that the CTR research was a
16 fraud, in my judgment I didn't think it deserved
17 my raising it, as a member of the CTR Board of
18 Directors, therefore, I did not.
19 Q Not even to the extent of pointing out
20 why Judge Sarokin's premise was so faulty?
21 A The Wall Street Journal article was
22 not the first public or other consideration of the
23 Sarokin opinion. The tobacco industry had
24 expressed its disagreement with the Sarokin
25 opinion, both in court proceedings and otherwise.

Page 91

1
2 I certainly didn't consider it
3 necessary to rehash any of that.
4 Q Why was there a need for a Special
5 Projects Division within the Council for Tobacco
6 Research?
7 MR. LONG: Do you know this
8 outside your role as General Counsel,
9 through information that is not privileged
10 or a work product, then you can answer,
11 but if you don't know, I instruct you not
12 to answer.
13 A Everything that I learned on Special
14 Projects, I learned immediately on coming with
15 Lorillard as General Counsel and learned it in my
16 capacity as General Counsel.
17 Q What was so wrong about Judge
18 Sarokin's opinion in the Haines case? How come he
19 didn't get -
20 MR. LONG: I object. You are
21 clearly asking for the opinions of a lawyer
22 involved in the litigation as to the merits
23 of this specific opinion.
24 We are not going to engage in giving
25 you his legal opinions on this.

Page 92

1
2 I am instructing you not to answer.
3 MR. ROSENBLATT: I am not asking
4 for his legal opinions or interpretations.
5 He said as a factual matter that basically
6 Judge Sarokin had his facts so wrong
7 that he wouldn't even dignify it with a
8 discussion.
9 Q So I am asking you, what did Judge
10 Sarokin get wrong?
11 A You are asking me -
12 MR. LONG: You are asking the
13 General Counsel of a Defendant in the case,
14 his views of the Judge's opinions in the
15 case.
16 Mr. Stevens' views are gathered from
17 his discussion as counsel, perhaps from his
18 discussions with people at Lorillard, which
19 are privileged.
20 I am instructing him not to answer.
21 We are getting into an area here where
22 you are asking an attorney to comment on an
23 area where he is involved.
24 Q What is your involvement in the Haines
25 case?

682705659

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(24)

Page 93

1
2 A We are a Defendant.
3 Q What is your involvement in the Haines
4 case?
5 A My company is a party Defendant. I am
6 responsible for the supervision and the conduct of
7 the legal affairs of the company, as General
8 Counsel. Therefore, outside counsel and inside
9 counsel who have day-to-day involvement with the
10 case report to me.
11 I have ultimate responsibility for the
12 representation of the company in that action.
13 Q Did you hire the outside counsel who
14 was defending Lorillard in the Haines case?
15 A Of course.
16 Q And which law firm is that?
17 A Shook, Hardy & Bacon.
18 Q And they report to you?
19 A They report directly to someone who
20 reports to me. And, therefore, they report to me.
21 Q Okay.
22 Who is the person they report to
23 directly?
24 A James Cherry has the day-to-day
25 responsibilities for the supervision of litigation,

Page 94

1
2 and he reports directly to me.
3 Q What is the status of the Haines case
4 now?
5 MR. LONG: Well -
6 MR. ROSENBLATT: That is just a
7 factual question.
8 MR. LONG: Don't answer it.
9 That is obviously privileged
10 information. He is an attorney in the
11 case.
12 Q I take it you - what was your role
13 in Cipollone? Were you involved in that?
14 A As compared to the role that I just
15 described -
16 Q No, not compared with anything.
17 A Exactly the same.
18 Q Okay.
19 A And that would be true with respect
20 to any other case in which the company is a
21 litigant.
22 Q And you are not restricting that to
23 cases where the Plaintiff is asserting that
24 smoking cigarettes harmed their health, but any
25 kind of lawsuit where Lorillard would be a

Page 95

1
2 Defendant?
3 A That is correct.
4 Q And was it the same law firm
5 representing Lorillard in the Cipollone case?
6 A Yes.
7 Q Did you attend the Supreme Court
8 arguments in Cipollone?
9 A I did -
10 Q Who argued -
11 A - in my capacity as General Counsel.
12 Q Who argued on behalf of Lorillard, if
13 anyone?
14 A I am having trouble with his name.
15 MR. LONG: Bartow?
16 THE WITNESS: Thank you.
17 A My recollection has been refreshed.
18 Bartow Farr, Esq.
19 Q What is his firm?
20 A I don't know.
21 MR. LONG: For the record, it has
22 changed since he argued it.
23 Q Where is he from, what city?
24 A Washington, D.C.; Bartow Farr, Esq.,
25 but I don't remember the firm.

Page 96

1
2 Q You were there as a spectator?
3 A Yes.
4 Q Has your deposition been taken in any
5 other case?
6 A No; no, sir.
7 Q This is a first?
8 A Yes, sir.
9 Q You seem real happy with that.
10 A I am delighted.
11 Q Are you?
12 MS. ROSENBLATT: Can't you tell?
13 Q What exactly did you do in connection
14 with the proposed ban of smoking on airlines? I
15 mean, obviously, that is something that you were
16 against, your company was against; correct?
17 A To the extent that the proposed ban
18 of smoking on airlines became a legislative matter,
19 it fell within the gambit of my responsibility for
20 government relations, and I engaged in discussions
21 and information gathering with respect to the
22 legislation in relation to the lobbying efforts
23 that were extended by the industry in connection
24 with it.
25 Q Is it accurate to say that the

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(25)

Page 97

1
2 industry was uniformly against the all inclusive
3 ban on smoking on domestic airlines?
4 A Yes, I think so.
5 Q Why do you think the tobacco industry
6 lost on that issue? Your lobbyists weren't good
7 enough, or -
8 A There were more votes against us than
9 there were for us.
10 Q Yes, but why? Why do you think that
11 was?
12 MR. LONG: I object to that
13 question. It calls for speculation.
14 A I really can't say.
15 Q Who was the chief public relations arm
16 or lobbying arm that was utilized by Lorillard
17 and/or the tobacco industry to defeat that ban?
18 A The evidence would have been
19 coordinated and participated in by the Tobacco
20 Institute.
21 Other organizations opposed the
22 legislation, including some elements of the airline
23 industry. I believe the - I believe the airlines
24 operators at one time opposed it.
25 Whether in the last bill it became

Page 99

1
2 A That is correct.
3 Q When you used to fly, when smoking
4 was still permitted, I take it you sat in the
5 non-smoking section?
6 A Not necessarily. It depends upon
7 where I was going, who I was traveling with, what
8 my other desires were for a seat, for example, with
9 respect to an aisle or an emergency aisle. I am
10 kind of a long-legged fellow.
11 It varied.
12 Q Did cigarette smoke bother you?
13 A Sometimes it did, sometimes it didn't.
14 Q When it did, what was it about the
15 smoke that bothered you, just uncomfortable or -
16 A Uncomfortable is - I wouldn't
17 characterize it as uncomfortable, I just -
18 sometimes I preferred not to be in the smoking
19 section, sometimes it didn't concern me at all.
20 Q Did your parents smoke?
21 A My mother smoked for a number of
22 years, and my recollection is she stopped when she
23 was in her early 50s. My father died when I was
24 seven years old, so I have no recollection of his
25 practices in that regard.

Page 98

1
2 law, whether they were active in their opposition
3 or not, I don't recall, but at one time they had
4 been.
5 What I am saying is that the industry
6 was not alone in its opposition to the proposal.
7 Q Did you have a hands-on role in
8 connection with trying to get that ban defeated?
9 A I never have a hands-on role, sir, in
10 the sense that I don't go down and lobby, I don't
11 make contact with lobbyists, other than the Tobacco
12 Institute.
13 So in that sense, not hands-on, but if
14 that is the definition that you are using.
15 Q The Tobacco Institute had the primary
16 role in that regard, the ban on smoking in
17 airlines?
18 A For the tobacco manufacturers, as far
19 as I know, they did. But I don't - I am not privy
20 to what individual companies may have made in the
21 way of other engagements of lobbyists, but our
22 efforts were handled by the Tobacco Institute.
23 Q 100 percent through the Tobacco
24 Institute, as opposed to Lorillard doing it on its
25 own?

Page 100

1
2 Q Okay.
3 Did your mother remarry?
4 A No.
5 She lived until she was 82.
6 Q Why did she stop, do you know?
7 A I have no idea. I was a child when
8 she did.
9 Q You never had a discussion about it
10 over the years, you know, how long she smoked, how
11 heavy a smoker, why she stopped?
12 A I never had a discussion with her
13 about how long she smoked, about why she stopped.
14 She was what I would describe as a moderate smoker.
15 I think she smoked considerably less than a pack a
16 day.
17 Q Was she employed?
18 A No.
19 Q Do you have siblings?
20 A I do.
21 Q How many?
22 A Two.
23 Q Brothers, sisters?
24 A I have a brother and a sister.
25 Q Let's talk about the brother first.

682705661

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(26)

Page 101

1
2 What is his name?
3 A Milton.
4 Q And younger or older?
5 A He is eight years my senior.
6 Q Is he a smoker?
7 A No.
8 Q Never smoked?
9 A Formerly a smoker.
10 Q Formerly a smoker?
11 A Yes, sir.
12 Q Okay.
13 How long did he smoke?
14 A I don't know. On and off through his
15 adult life, as I remember, but I have no precise
16 indication of how many years he smoked.
17 Q And that -
18 A He has not smoked for many years.
19 Q 20 years?
20 A 15, maybe.
21 Q Okay.
22 You describe him as an on and off
23 smoker when he was smoking. Do I understand that
24 to mean that there would be occasions he would quit
25 for a couple of months and then go back to it, and

Page 102

1
2 then maybe smoke for a few, a couple of years, and
3 then quit? Was it that kind of a pattern?
4 A That is my general impression, but
5 I - I can't tell you that I know precisely what
6 his smoking practices were.
7 Q Okay.
8 A I have a very distinct recollection
9 that at times in his life he has smoked, and at
10 other times he has not.
11 Q What precipitated him quitting, do you
12 know?
13 A No.
14 Q Anything health-related?
15 I mean, was he going into the hospital
16 for surgery or something?
17 A I don't have any idea whether his
18 ending smoking whenever he did had any relationship
19 to health. I just don't have that knowledge.
20 Q Okay.
21 Where does he live?
22 A He lives in Plymouth, Massachusetts.
23 Q What is your sister's name?
24 A Ethel.
25 Q Younger or older?

Page 103

1
2 A Older, six years.
3 Q Is she a smoker?
4 A Formerly.
5 Q And was she - when she was a smoker,
6 was she on again, off again?
7 A I don't ever remember inquiring of my
8 siblings as to the regularity. She smoked many,
9 many years ago. I have not seen her smoke in
10 25 years.
11 Q Do you know why she quit?
12 A I have no idea.
13 Q It just amazes me that the business
14 you are in, that your brother and sister wouldn't
15 have mentioned why they quit or why they didn't
16 quit.
17 I will take your word for it, but it
18 is - and you are telling me they never did, never
19 volunteered anything?
20 A And I am under oath.
21 Q I understand.
22 Is your brother employed at the
23 present time?
24 A No, my brother is retired.
25 Q From what?

Page 104

1
2 A Most recently, in the last 10 or 15
3 years of his life, he was engaged in the
4 hospitality industry. He was a General Manager,
5 an Assistant General Manager, a Food and Beverage
6 Manager of hotels and convention-type facilities.
7 Q Hotels, where?
8 A I am trying to think of the name.
9 Retreats, where you go and have a business retreat.
10 Principally in the Cape Cod area.
11 Q Did your brother have any health
12 problems?
13 A My brother has had some vascular
14 problems in his legs many years ago, and had a
15 heart attack at one point.
16 Q Did he have the heart attack before
17 he quit smoking or after he quit smoking, if you
18 know?
19 A I - that is why I answered your
20 question earlier, I can't correlate his smoking
21 experience to his heart attack.
22 My general impression is that he had
23 stopped smoking considerably before his heart
24 attack.
25 Q How is his health now?

Page 101 to Page 104

(212) 267-4150

STERLING REPORTING SERVICE, INC.

682705662

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(27)

Page 105

1
2 A Good. His heart attack was 12, 15
3 years ago.
4 Q Was your sister employed during a
5 substantial part of her adult life?
6 A Yes, with some time out while she was
7 raising her children.
8 Q Okay.
9 A And went back to work some years ago
10 after her children were raised.
11 Q What kind of work?
12 A Well, at one time she was a secretary
13 and worked in the advertising business, as a very
14 young woman. When she went back to the work force,
15 she became engaged in the human resources end of
16 the business. And she was a benefits person, and a
17 personnel person, and a hiring manager, that kind
18 of thing.
19 Q Who was her employer then, if you
20 know?
21 A She had a number of them.
22 Q Okay.
23 She was based, where?
24 A In New Jersey for the most part.
25 Q What city?

Page 106

1
2 A Almost exclusively. She lives in
3 Teaneck.
4 Q How is her health?
5 A Excellent.
6 Q Never had cancer?
7 A No.
8 Q Never had a heart attack?
9 A No, sir.
10 Q Or heart problems?
11 A No, sir.
12 Q Emphysema?
13 A No, sir.
14 Q Have you ever had a relative or close
15 friend who had lung cancer?
16 A My wife's mother died from lung
17 cancer, so it was diagnosed.
18 Q Was your wife's mother a smoker?
19 A She was not.
20 Q As far as you know, she never smoked?
21 A She absolutely never smoked.
22 Q Was she opposed to smoking?
23 A Violently.
24 Q How did she express that opposition?
25 A Vocally.

Page 107

1
2 Q Well, what were her reasons? What
3 reasons did she express?
4 A She was uncomfortable in the presence
5 of smoke.
6 Q Did she say why, specifically?
7 A No.
8 Q I mean, can you - do you ever
9 remember her - because sometimes someone will have
10 a particular thing that they saw a relative die
11 or -
12 A Principally because my father-in-law
13 was a cigar smoker, and she didn't like cigar
14 smoke.
15 Q Did he also smoke cigarettes?
16 A No.
17 Q Growing up, do you know, in terms of
18 your mother-in-law growing up, were her parents
19 smokers?
20 A I have no idea.
21 Q I don't believe I asked you for your
22 daughters' names. Let's take them one at a time.
23 A I have a daughter Beth.
24 Q Is Beth employed?
25 A Yes.

Page 108

1
2 Q What kind of work does she do?
3 A She is a fixed income investment
4 saleswoman for Citicorp Investing.
5 Q She lives, where?
6 A On the West Side of Manhattan.
7 Q What does her husband do?
8 A He is a high yield equity operative
9 for Donaldson, Lufkin & Jenrette.
10 Q Is he a smoker?
11 A He is not.
12 Q And your other daughter?
13 A Lee, L-e-e.
14 Q Does Lee work?
15 A She does.
16 Q What kind of work?
17 A The same thing.
18 Q Same thing as -
19 A The same thing as her sister.
20 Q Okay.
21 The same company?
22 A Morgan Guaranty.
23 Q She's married?
24 A She is.
25 Q And what does her husband do?

682705663

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(28)

Page 109

1
2 A He is a doctor.
3 Q Any particular specialty?
4 A Orthopedic surgeon.
5 Q Is he a smoker?
6 A He is not.
7 Q What are your daughters' married
8 names?
9 A Beth's married name is Rattner,
10 R-a-t-t-n-e-r.
11 Lee's married name is Deisch,
12 D-e-i-s-c-h.
13 Q What studies have the Council for
14 Tobacco Research funded where the conclusion
15 reached a contrary view, where the conclusions
16 reached a contrary view to those contained in the
17 Surgeon General's reports of the last ten years on
18 the issue of smoking and health?
19 A I can't identify with specificity any
20 list of research results published by the Council
21 for Tobacco Research with respect to any
22 conclusions on any scientific issue, one way or
23 the other.
24 My understanding is that the results
25 of the CTR grant work comes out on all sides of

Page 111

1
2 which you are referring?
3 MR. ROSENBLATT: Yes.
4 A I thought his underlying premise was
5 incorrect. I think he takes an attitude that - I
6 think he has the opinion and expresses the attitude
7 that minority groups are being pandered to or
8 somehow being misled by manufacturers of consumer
9 products to their detriment and that minority
10 groups somehow need some other protection from
11 their own intellectual or other inadequacies that
12 other consumer groups don't need.
13 And that is a premise that I find
14 unacceptable and, therefore, I don't agree with
15 what he says.
16 Q Do you know what Herbert's background
17 was before he became a writer on the Op-Ed pages of
18 The New York Times?
19 A No, I don't.
20 Q Well, and I will be happy to show you
21 a copy of the Herbert article. But he quotes a
22 tobacco executive.
23 A Unnamed.
24 Q Correct. He mentions the source,
25 though. A man named David Goerlitz,

Page 110

1
2 many of the issues that they investigate and that
3 the conclusions of the researchers are published,
4 but I can't give you a litany of grants and the
5 results that they enunciated.
6 Q Do you subscribe to The New York
7 Times?
8 A Subscribe in the sense that I have it
9 delivered to my doorstep, yes.
10 Q No, do you see it every day?
11 A Yes, I do.
12 Q Did you see Bob Herbert's column last
13 Sunday, maybe the Sunday before?
14 A Yes.
15 Q What did you think of that article?
16 MR. LONG: You mean, personally?
17 MR. ROSENBLATT: Yes, personally.
18 A Mr. Herbert has been writing in the
19 Op-Ed page of The Times now for a very short period
20 of time. I find that I very rarely agree with his
21 view, but the column to which I think you are
22 referring, which is with respect to the support of
23 philanthropic and other charitable organizations,
24 Philip Morris -
25 MR. LONG: Is that the one to

Page 112

1
2 G-o-e-r-l-i-t-z.
3 A I know who Mr. Goerlitz is.
4 Q A former model who was once known as
5 the Winston man because he had appeared in Winston
6 cigarette ads for the R.J. Reynolds Tobacco
7 Company.
8 And Herbert is describing a situation
9 where Goerlitz asks a tobacco company executive
10 "Don't any of you smoke?"
11 And the executive shook his head and
12 said, quote, "Are you kidding? We reserve that
13 right for the poor, the young, the black and the
14 stupid," end quote.
15 Do you think Mr. Herbert is lying
16 about this?
17 A No. I have heard Mr. Goerlitz so
18 testify before the Congress of the United States.
19 Q Do you think Goerlitz is lying?
20 A I don't know. It would not surprise
21 me.
22 Q Why do you say that?
23 Obviously, for you to say that, you
24 have a low opinion of Goerlitz; why?
25 A Not that I have a low opinion of him.

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(29)

Page 113

1
2 From what I have read of Mr. Goertitz over the
3 years, he is a disgruntled fellow who doesn't like,
4 as I understand it, some of the treatment he was
5 afforded during his days as a professional model
6 by Reynolds, and he has been striking out at them
7 on a regular basis in that connection for some
8 years.
9 He is a regular on the witness stand
10 in almost all aspects of anti-tobacco activity.
11 Q To your knowledge, has Mr. Goertitz
12 ever mentioned the name of the executive who made
13 that statement?
14 A I don't know.
15 Q But in fairness, don't you think, for
16 example, in taking - you have been affiliated with
17 the tobacco industry for a long time?
18 A 25 years.
19 Q At a very good salary. And you don't
20 use their product.
21 Don't you think it's fair for someone
22 who is considering whether smoking is detrimental
23 to their health, when they see a person like you,
24 or Andrew Tisch, who yourself don't smoke, to ask
25 that question, don't you basically have the

Page 114

1
2 attitude that the information is out there, and if
3 you people are dumb enough to smoke our product,
4 which I don't do, you more or less get what you
5 deserve?
6 MR. LONG: I object to the form of
7 the question. To the extent I understand
8 it, it's certainly argumentative, and it
9 certainly calls for speculation.
10 Q You can answer.
11 A I don't accept your premise. I don't
12 think all of our customers or all of the consumers
13 and users of cigarettes are stupid people who we
14 have the ability, willy-nilly, to confuse or lie
15 to.
16 The risks, the hazards, the problems
17 associated with cigarettes have been talked about
18 for ages. There is an awareness of the risks
19 associated with cigarette smoking, just as there
20 are risks associated with uses of other products
21 and other activities that people engage in.
22 I don't presume to suggest that they
23 are all stupid and that we are taking advantage of
24 them. I think that is an unreasonable and unfair
25 conclusion.

Page 115

1
2 Q How much money do you figure the
3 tobacco industry spent on advertising in the last
4 decade?
5 A In the last decade?
6 Q Yes.
7 A I don't know that I can do that
8 calculation. Hundreds and hundreds of millions of
9 dollars.
10 Q Probably up - certainly over a
11 billion, you would think?
12 A Perhaps.
13 Q Are you familiar with the history of
14 tobacco advertising, for example, when they used
15 very popular figures, sports figures, Hollywood
16 figures, musical figures, Arthur Godfrey?
17 A I have some familiarity with that
18 history.
19 Q What is your - for example, did
20 Ted Williams, Joe Di Maggio, Stan Musial, advertise
21 cigarettes?
22 A Some of them did. Whether you
23 correctly identified all of them, I have no idea.
24 Q Well -
25 A Some of them did.

Page 116

1
2 Q Tell me, based upon your experience in
3 this industry, who are some of the major sports
4 figures who used to be commonly identified with
5 cigarette advertising?
6 A Oh, I wouldn't attempt to give you a
7 list. If you want to ask me whether I recall a
8 specific sports figure as being someone who
9 advertised cigarettes, I will be happy to tell you
10 my recollection, but I wouldn't attempt to give you
11 such a list.
12 Q Okay.
13 Di Maggio?
14 A I have no idea.
15 Q Williams?
16 A I don't know.
17 Q Can you name a single figure that you
18 are sure advertised cigarettes?
19 A Not in the sports world. None spring
20 to mind at the moment, but I don't deny that there
21 were some.
22 Q I know you don't.
23 How about Hollywood people?
24 A Well, you mentioned Arthur Godfrey. I
25 certainly remember him.

682705665

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(30)

Page 117

1
2 Q What did he advertise?
3 A Chesterfields.
4 Q What did he die of?
5 A I think the press reports were that he
6 died of cancer.
7 Q Lung cancer?
8 A Perhaps.
9 Q Okay.
10 Any other Hollywood figures that you
11 specifically remember as advertising cigarettes?
12 A Again, I have not committed to memory
13 who they were. If you want to ask me specific
14 people, and I will see if I remember if they
15 appeared in advertisements that I am aware of, I
16 would be happy to respond.
17 Q Would you think that if Michael
18 Jordan, for example, appeared regularly in Life
19 Magazine, People Magazine, Time, Newsweek, full
20 page ads, Winstons are great, and I think they are
21 fine for you, they don't hurt you, do you think
22 this -- whatever particular brand he advertised,
23 doesn't your common sense tell you sales would
24 increase phenomenally?
25 MR. LONG: I am going to object to

Page 118

1
2 the question.
3 Again, to the extent I understand
4 it, it's certainly argumentative, and it
5 certainly calls for nothing but pure
6 speculation.
7 A I can't make that speculation, I am
8 sorry.
9 Q Do you really think that is
10 speculation?
11 You don't think that there would be
12 millions of kids who idolize Michael Jordan, that
13 if he smoked and said smoking was good for you,
14 they would want to smoke?
15 MR. LONG: Same objection.
16 Q That has not been your experience of
17 human nature?
18 MR. LONG: Same objection.
19 Q And American history?
20 MR. LONG: Same objection.
21 Speculation.
22 A I can't engage in that speculation.
23 We don't do that, and the industry
24 doesn't do that. So your question really is
25 hypothetical, imaginary, and speculative.

Page 119

1
2 Q Okay. Let's go back to when you did
3 it.
4 You would agree that when Di Maggio
5 and Musial and Williams were in their heyday, they
6 were literally worshipped by millions of Americans?
7 A Not all of whom were children, and my
8 reading of that period, and we are talking about
9 considerably prior to 1964, we are talking about a
10 period, a much more innocent period, a period when
11 advertising was a very different practice and
12 instrument than it is today.
13 And the appeal of that advertising was
14 not unique with respect to children or adults. And
15 I have never read anything, nor have I learned
16 anything that indicated to me that that kind of
17 advertising, whether it was for cigarettes or other
18 products, and other products are frequently the
19 subject of celebrity endorsement, have any
20 different appeal or unique appeal.
21 Q But obviously, the reason why an
22 industry would use famous sports figures or
23 Hollywood figures would be to increase their sales,
24 or is there some other reason that they would pay
25 Di Maggio or Williams or Clark Gable?

Page 120

1
2 MR. LONG: I object to the
3 question. It calls for speculation.
4 A I can't speculate. I mean,
5 advertisers utilize what they do in their
6 advertising for a variety of reasons, all of
7 which are designed to call attention to their
8 product, but the fact of the matter remains that
9 it is now almost 30 years since the cigarette
10 industry has refrained from any of those kinds of
11 activities.
12 They ceased doing so in the mid-'60s,
13 not because they agreed with the arguments that
14 were used against them, but because there was a
15 human outcry about most particularly the appeal of
16 that kind of advertising to young people.
17 So they began to engage in a whole
18 variety of voluntary restrictions that do not allow
19 them to direct the appeal of their advertising to
20 young people. They don't use celebrities, they
21 don't use testimonials. They have not done so for
22 almost 30 years. They don't advertise in journals
23 and in publications that have unique appeal to
24 children.
25 So you are trying to visit upon the

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(31)

Page 121

1
2 1990s activities that in the '50s and '60s were not
3 considered untenable, were used by a whole variety
4 of products, and have not been used by this
5 industry for 30 years.
6 Q And the reason why the industry has
7 not used those kind of celebrity endorsements
8 during the past 30 years is because of the human
9 outcry, to quote you, which you just mentioned,
10 because there was such public pressure and distaste
11 about those kinds of advertisements that the
12 industry just stopped using celebrities; correct?
13 A There was --
14 MR. LONG: I object to that
15 question as argumentative.
16 A There was public discussion. Whether
17 there was distaste or not, I have no idea.
18 Q Well, I mean, you are telling me that
19 for 30 -- that for -- that in the '50s and the
20 '60s, that you used celebrity endorsements, and
21 then for about 30 years the tobacco industry does
22 not use those kinds of endorsements, and I am
23 saying, why did they stop?
24 A For the same reason that other
25 advertising practices change, they go out of vogue.

Page 122

1
2 They are no longer popular or effective.
3 And in addition, I suggested to you
4 that there was governmental and other public
5 expression of unhappiness with that kind of
6 advertising, so in response to some public demand,
7 we stopped doing it.
8 Q Who was the Joe Camel advertising
9 geared towards, 40-year-olds?
10 MR. LONG: I object, it is
11 speculative.
12 A I don't know about the Joe Camel
13 advertising; I don't know about its intention or
14 impact.
15 Q You have seen it?
16 A I have seen it.
17 Q As an adult, and as an intelligent
18 adult, who do you think it is going to appeal to,
19 kids or 40-year-olds?
20 MR. LONG: I again object to the
21 question.
22 Q Maybe you have no opinion on that
23 subject or have no idea, fine. If that is your
24 answer, tell me that is your answer.
25 MR. LONG: Object to the question

Page 123

1
2 as argumentative, and calls for
3 speculation.
4 A I don't have an opinion on that
5 subject. I mean, I have read the discussions about
6 it. I don't -- I understand that there is research
7 that suggests that it appeals to young people. I
8 have also read that there is a good deal of
9 research that questions that.
10 So, like a lot of other issues
11 involving cigarette advertising, and cigarette
12 promotion, there is a difference of opinion.
13 I don't happen to think, personally,
14 that cartoon advertising has a particular appeal
15 to children, because there are a whole host of
16 products, as I understand it, some of which I have
17 seen, that use cartoon characters which are not
18 intended for any use by children.
19 Q What is the strategy of the tobacco
20 industry to replace all the smokers who have quit
21 in the last several years?
22 MR. LONG: I am going to object
23 to that question. I don't know that there
24 is a foundation that he would have any
25 information in regard to that, other than

Page 124

1
2 in his role as General Counsel of Lorillard.
3 And if he has information regarding
4 that question that is outside the scope of
5 his role as General Counsel, he can answer
6 it. Otherwise, I would instruct him not to.
7 A Lorillard has no strategy for
8 replacing, as you describe it, lost smokers. So I
9 can't answer your question beyond that.
10 Q Why do you --
11 A I don't speak for the industry.
12 Q Why do you advertise? Why does
13 Lorillard advertise?
14 A For two reasons, primarily, to attract
15 to our brand smokers of other brands. To get some
16 business from the competition.
17 And secondarily, to help our customers
18 identify with our brands, and if they are going to
19 continue smoking, stay with our brands.
20 Q Does Lorillard mention in its
21 advertising that some brands are lower than others
22 in tar and nicotine?
23 A In some of Lorillard's advertising, it
24 engages in comparatives of tar and nicotine levels,
25 yes.

682705667

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(32)

Page 125

1
2 Q Why do they do --
3 A Or has. Whether it's currently, I
4 don't recall.
5 Q Why do they do that?
6 A To point out the contrast between the
7 availability of brand varieties that customers of
8 existing smokers can choose from, as opposed to
9 ours.
10 Some people like a higher tar and
11 nicotine; some people like a lower tar and
12 nicotine; some people like a middle. So we like
13 to let them know what is available.
14 Q What is the significance of low tar
15 and nicotine?
16 MR. LONG: From what standpoint?
17 MR. ROSENBLATT: From any
18 standpoint.
19 Q From Lorillard.
20 Why mention it? What am I as the
21 consumer supposed to think, okay? Your brand is
22 10 milligrams lower in tar than the brand I am
23 smoking now, so what?
24 A The consumers of cigarettes have
25 demonstrated that they like available to them a

Page 127

1
2 the taste and enjoyment prefer higher tar or lower
3 tar?
4 A Yes.
5 Q That is what it is all about?
6 A Yes.
7 Q Okay.
8 MR. ROSENBLATT: Now, I have a
9 whole series of questions which relate to
10 the opinion in the Susan Haines case.
11 I don't want to waste everybody's
12 time. My understanding is that if I start
13 asking questions about language used by
14 Judge Sarokin in this opinion, and then want
15 to get Mr. Stevens to comment about these
16 statements, you are going to instruct him
17 not to answer?
18 MR. LONG: Certainly.
19 I think asking a General Counsel
20 about litigation in which he was one way
21 or another involved is objectionable in a
22 deposition.
23 MR. ROSENBLATT: Okay.
24 I want to get the opinion as well as
25 Judge Sarokin's order.

Page 126

1
2 variety of product, at different tar and nicotine
3 levels, for a variety of reasons, in terms of what
4 they think tar and nicotine level delivers to them.
5 Q It's not the advertising that stresses
6 low tar and nicotine, saying to the consumer that
7 somehow low tar and nicotine cigarettes are less
8 dangerous than high tar and nicotine cigarettes?
9 A Absolutely not.
10 Q So, in other words, the advertising
11 that focuses on low tar and nicotine, according to
12 you, has zero to do with health concerns?
13 A That is correct.
14 Q Okay.
15 Does low tar -- does low tar and
16 nicotine, middle tar and nicotine, high tar and
17 nicotine, do they affect taste; is that your
18 understanding?
19 A I am told in part they do, yes.
20 Q Who are you told that by?
21 A From what I have read in the general
22 literature, from what I know from our marketing
23 people and our production people.
24 Q So that it is your impression and your
25 understanding that some people simply by virtue of

Page 128

1
2 The opinion consists of 39 pages, the
3 order consists of three pages. There are
4 two orders. I just want that marked as a
5 composite exhibit.
6
7 (Whereupon, opinion,
8 consisting of 39 pages,
9 Judge Sarokin's two orders,
10 consisting of three pages,
11 marked as Plaintiffs'
12 Composite Exhibit 1 for
13 identification, as of this
14 date.)
15
16 MR. LONG: For purposes of the
17 record, I object to Judge Sarokin's opinion
18 in Haines in that it quotes portions of
19 documents which remain privileged under the
20 attorney-client privilege and work product.
21 MR. ROSENBLATT: I was also going
22 to ask Mr. Stevens a lot of questions
23 about this document titled, "CTR Special
24 Projects," which lists the researcher, the
25 project title, description, the period of
time the research took, the budget for that
particular research, and the data provided,
and this consists of several pages, and once
again, I don't want to -- I am going to show

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(33)

Page 129

1
2 it to you.
3 (Handing)
4 MR. ROSENBLATT: And I don't want
5 to be in a position where everybody is
6 spinning their wheels, because based on
7 the position you have taken during this
8 deposition, I assume that you would instruct
9 the witness not to answer questions
10 concerning this document.
11 MR. LONG: Can I have a second to
12 confer with my client?
13 MR. ROSENBLATT: Sure.
14 (Whereupon, a discussion was held off
15 the record.)
16 MR. LONG: I am not exactly sure
17 what this is. I note it says, "For counsel
18 only."
19 Obviously, you have it.
20 My understanding is that Mr. Stevens'
21 knowledge of Special Projects, other than
22 its existence, is gained through his role
23 as General Counsel, and certainly involves
24 privileged information, such as attorney-
25 client privilege and work product, so we

Page 130

1
2 would instruct him not to answer questions
3 about that document unless we understand
4 more fully what it is.
5 Maybe I should know, but I just don't.
6 MR. ROSENBLATT: Okay. So we will
7 mark this as the second exhibit, and
8 obviously, let the record reflect that
9 counsel and Mr. Stevens have had an
10 opportunity to go through these pages prior
11 to counsel's comment, which he just made.
12
13 (Whereupon, document entitled,
14 "CTR Special Projects" marked
15 as Plaintiffs' Exhibit 2 for
16 identification, as of this
17 date.)
18 BY MR. ROSENBLATT:
19 Q How was it determined whether
20 particular forms of research fell within the
21 general grants or the Special Projects Division
22 of CTR?
23 MR. LONG: I think we can answer
24 part of that, as to what a grant is, and
25 then the Special Projects.
I think the grants are within the
purview of the SAB and the Scientific

Page 131

1
2 Director.
3 I think the Special Projects is
4 something, regarding the Special Projects
5 and how to determine it, I think that is
6 privileged information. So the question
7 includes both.
8 So to the extent that it includes
9 CTR Special Projects, I will object and
10 instruct him not to answer.
11 MR. ROSENBLATT: That really
12 doesn't help me, because you are not really
13 giving me anything. You are basically
14 instructing him not to answer the question.
15 MR. LONG: Yes. And it goes,
16 partly goes to form, because it's a mixed
17 question of how do you determine what is a
18 grant and what is a special project.
19 If you can parse it out, perhaps he
20 can answer part of it.
21 Q Why does Special Projects go through
22 the Council for Tobacco Research at all? Why not
23 simply hire independent investigators or
24 researchers to conduct those projects which are
25 within the Special Projects Division?

Page 132

1
2 MR. LONG: I have to object to that
3 and instruct him not to answer.
4 It's my understanding that Special
5 Projects existed long before Mr. Stevens
6 worked for Lorillard, and any information
7 that he would have on that is as a result
8 of conferences with attorneys, and it is
9 considered privileged, and I instruct him
10 not to answer.
11 Q If this case that we are taking your
12 deposition in, if we had a trial date, what would
13 be your role in terms of providing either Lorillard
14 or any of your fellow Defendants with expert
15 witnesses?
16 A Any activity that I would engage in
17 in connection with this case would be in my role
18 as General Counsel.
19 Q I guess that means you are not
20 answering the question?
21 A Not beyond the answer that I have
22 given you.
23 Q Don't you get your experts through the
24 Council for Tobacco Research?
25 A Which experts?

682705669

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(34)

Page 133

1
2 Q Experts in litigation, where the
3 Plaintiff was claiming that they had lung cancer or
4 whatever, as a result either of smoking cigarettes
5 or their exposure to secondhand smoke?
6 MR. LONG: I am going to object to
7 the question.
8 You are asking General Counsel of the
9 Defendant in litigation about how he goes
10 about getting his expert witnesses and that
11 is obviously privileged, and I instruct him
12 not to answer.
13 Q If your deposition has to be taken
14 again, do you want New York or Miami?
15 A New York.
16 MR. LONG: I object to the
17 question. It calls for speculation.
18 Q That will take a privileged kind of
19 discussion?
20 A Maybe we will talk about the time of
21 year.
22 Q How do you answer that very
23 fundamental question as someone being in the
24 tobacco industry for 25 years, does cigarette
25 smoking cause cancer?

Page 134

1
2 MR. LONG: Are you asking him just
3 from the standpoint of his personal view?
4 MR. ROSENBLATT: I am certainly not
5 asking him as General Counsel. I am asking
6 him with respect to every other hat that he
7 may wear, including a golfing hat, but I am
8 not asking him that question in his context
9 as General Counsel; every other capacity.
10 A If you are asking me if as a matter of
11 absolute scientific truth cigarette smoking causes
12 lung cancer or any other disease, the answer is I
13 don't know.
14 If you are asking me whether the
15 statistical and epidemiological data that is used
16 to support the statistical association of cigarette
17 smoking with other diseases is valid, I would say
18 that the information exists.
19 I don't think it demonstrates
20 scientifically that there is causation, but I can't
21 tell you as a matter of absolute truth whether
22 cigarette smoking causes lung cancer. I don't
23 think it does.
24 Q You don't think it ever does? You
25 don't think cigarette smoking has ever caused lung

Page 135

1
2 cancer to a particular individual?
3 A I don't know that. I don't think it
4 does. It has not been scientifically demonstrated
5 in a conclusory fashion to me that it does.
6 I don't know whether it does or
7 whether it doesn't. I don't think it does.
8 Q What would I have to do, or what
9 would science have to do to prove causation to
10 you, where you would finally say, okay, I am
11 convinced?
12 MR. LONG: Object to the form of
13 the question. It calls for speculation.
14 MR. ROSENBLATT: If that calls
15 for speculation, the tobacco industry is
16 in pretty bad shape.
17 MR. LONG: You can answer.
18 A There would have to be sufficient
19 scientific evidence based upon large scale animal
20 studies of the respiratory system that demonstrated
21 that the basic causal mechanism of cancer was
22 attributable to cigarettes.
23 And that kind of study would have to
24 be sufficiently replicated, because I am told that,
25 and understand that scientific studies, in order to

Page 136

1
2 be valid, have to be of large enough sample and
3 have to be replicated.
4 If that can be demonstrated to others
5 who make scientific judgments, and they could
6 convince me that that evidence was sound and
7 conclusive, I might then be convinced that the
8 answer to your question is that cigarette smoking
9 causes the disease.
10 Q Has the Council for Tobacco Research
11 done that study, or issued a grant to do that
12 study?
13 A My understanding is that the Council
14 has sponsored a study that addressed that issue. A
15 long-range, long-term study. And that the results
16 that were achieved were negative. That is, they
17 did not demonstrate a causal connection.
18 Q What is the name of that study, or
19 the institution where it was performed, or the
20 researchers?
21 A My understanding is that that was a
22 project performed by Microbiological Associates.
23 Q Associated where?
24 A I think in Baltimore, but I am not
25 sure.

Page 133 to Page 136

(212) 267-4150

STERLING REPORTING SERVICE, INC.

682705670

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(35)

Page 137

1
2 Q Where was that study published, the
3 results of it?
4 A I don't know. It was published and
5 it was the subject of publicity by the Council for
6 Tobacco Research.
7 Q When?
8 A Sometime, I believe, in the early
9 '80s.
10 Q Hypothetical question. In terms of
11 your concept of causation, assume this to be a
12 fact, and reported to you as a fact by the
13 scientific people who you would respect the most.
14 They take 100 rats, put the 100 rats
15 in one room. They take another 100 rats, put them
16 in another room. With the first 100 rats, they
17 blow cigarette smoke 20 hours a day for six months.
18 All of those rats get lung cancer.
19 The other 100 rats are not exposed to
20 cigarette smoke, but they have precisely the same
21 diet, they have precisely the same conditions with
22 the absence of the cigarette smoke.
23 None of those 100 rats get lung
24 cancer. If that were demonstrated to you to be
25 true, that occurred, that experiment was conducted,

Page 139

1
2 is cigarette smoke. That would certainly prove it
3 to me.
4 A I don't think any scientist that you
5 would engage as an expert witness would tell you
6 that the animal, or the testing laboratory, or the
7 methodology, or the size of the sample, or any of
8 the other myriad factors which I believe are
9 necessary for a valid scientific experiment,
10 including the replication that I referred to
11 earlier, would even be conceivably possible in your
12 hypothetical laboratory.
13 Therefore, I cannot accept it as a
14 hypothetical that even gives me an opportunity to
15 respond in an intelligent fashion.
16 Q Well, I think that you are telling me
17 that just based on - and maybe it is a lousy
18 hypothetical.
19 It's lousy science, and it's also a
20 lousy hypothetical, but, you know, be that as it
21 may, those are the facts. That is the hypothetical
22 I am asking you to assume.
23 If I have understood your answer, that
24 result would be meaningless to you. It certainly
25 would not prove to you that lung cancer is caused

Page 138

1
2 would that satisfy you that cigarette smoke causes
3 lung cancer?
4 MR. LONG: I object to the form of
5 the question. It is using a hypothetical
6 with a non-expert witness, plus it is also
7 speculation and conjecture.
8 Q You can answer it.
9 A I suspect that anybody I would consult
10 on a scientific basis for advice for that would
11 tell me that it was lousy science.
12 I can't conceive that that
13 hypothetical experiment that you just described
14 would draw any conclusion that was worth anything.
15 Q Why is that?
16 I mean, why is that lousy? I am
17 probably asking the question because of my
18 ignorance of - where you have a lot more
19 information about science than I apparently do.
20 I think that would be a great
21 experiment. I think that that would be super.
22 A I don't know that I do have more
23 knowledge than you.
24 Q 100 rats get lung cancer, the other
25 100 don't get lung cancer, and the only difference

Page 140

1
2 by cigarette smoke?
3 A It doesn't meet the criteria that I
4 described to you earlier -
5 Q Okay.
6 A - as that which would be satisfactory
7 to me.
8 Q What about if instead of 100 rats in
9 each sample there were 10,000 rats in each sample?
10 A I have no idea.
11 Q And the 10,000 rats exposed to smoke
12 got lung cancer, and the other 10,000 rats again
13 did not get lung cancer, would that be impressive?
14 MR. LONG: Again, I will continue
15 to object to that line as speculation.
16 Q Would that be impressionable to you?
17 A You are asking me the hypothetical as
18 to the accurate size of a sample and -
19 Q I am not asking you to opine as to the
20 precise size of the sample. In my simplistic way,
21 I am simply saying to you that if we had 10,000
22 rats exposed to cigarette smoke for six months, and
23 they all developed lung cancer, and we had 10,000
24 rats exposed to precisely the same conditions, they
25 were all the same age, everything else was the

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(36)

Page 141

1
2 same. The only thing different was no cigarette
3 smoke, and none of them developed lung cancer, as
4 I have understood your testimony, the 10,000 rats
5 developing lung cancer still would not convince
6 you that cigarette smoke causes lung cancer; is
7 that true?
8 MR. LONG: I object to the
9 question.
10 Again, it's a hypothetical, calling
11 for speculation.
12 Again, I think there may be a double
13 negative in there that I don't quite
14 understand.
15 In your question you are asking him
16 if your understanding of what he says is
17 correct. I am a little confused.
18 Q You are not confused, you know what I
19 am asking you?
20 A I don't know the answer to your
21 question.
22 Q But you understood my question?
23 A Yes.
24 Q Okay.
25 What do you get paid by Lorillard?

Page 142

1
2 A My salary for 1993 was about \$290,000.
3 Q In both capacities?
4 A I only have one capacity as an
5 employee of Lorillard. I am Senior Vice President
6 and General Counsel. I have one capacity.
7 Q I mean on your stationery and on your
8 card, what does it say first, Senior Vice
9 President?
10 A Yes.
11 Q Slash, General Counsel? Do you have a
12 card?
13 (Whereupon, the witness produced a
14 business card to counsel.)
15 MR. ROSENBLATT: I would like to
16 have this marked as an exhibit in case we
17 have an issue later on.
18
19 (Whereupon, business card
20 of the witness marked as
21 Plaintiffs' Exhibit 3 for
22 identification, as of this
23 date.)
24 BY MR. ROSENBLATT:
25 Q I notice on your card it just says
Lorillard, it does not say Lorillard Tobacco
Company.

Page 143

1
2 Is that also true of your stationery?
3 A Some stationery does, some doesn't. I
4 don't have a -- I mean, I don't have the graphics
5 of every piece of stationery in mind.
6 Q Well, usually, I mean, just in your
7 normal correspondence, whether in your, you know,
8 in your capacity as an employee of Lorillard.
9 A I think most of it says Lorillard
10 Tobacco Company.
11 Q Okay.
12 In addition to your salary, what other
13 benefits do you receive?
14 A I have the same health and insurance
15 benefits as every other employee, and I have a
16 garage space.
17 Q Okay.
18 A That is it.
19 Q Do they provide you with a car?
20 A No, sir.
21 Q A vacation home?
22 A No, sir.
23 Q How much stock do you own in
24 Lorillard?
25 A 75 shares.

Page 144

1
2 Q That is it? What is that worth?
3 MR. LONG: Did you understand him
4 to say Lorillard or Loew's?
5 THE WITNESS: Oh, forgive me, I
6 misunderstood.
7 A I have no shares in Lorillard.
8 Q How much stock do you own in any
9 related entities?
10 A I have 75 shares in the Loew's
11 Corporation.
12 Q That is it?
13 A Yes.
14 Q What is a share worth these days?
15 A I think it was traded yesterday at
16 somewhere in the low 90s.
17 Q Do you own stock in any other tobacco
18 company?
19 A At the moment I am not sure whether
20 the portfolio that is managed for me, it may have
21 some R.J. Reynolds bonds in it, but I am not
22 positive of that.
23 Q Why is a portfolio managed for you?
24 That is by your personal choice?
25 A Yes.

Page 141 to Page 144

(212) 267-4150

STERLING REPORTING SERVICE, INC.

682705672

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(37)

Page 145

1
2 Q Okay.
3 Do you get bonuses?
4 A No, sir.
5 Q Do you know Michael Rosenbaum?
6 A I don't think so.
7 Q How should flight attendants on
8 international flights avoid exposure to smoke,
9 assuming that they take seriously the report of the
10 EPA, which says that it is very dangerous to be
11 exposed to secondhand smoke? What do you suggest
12 to them?
13 MR. LONG: I am going to object to
14 the question in that it seems to call for
15 speculation, and I am not sure whether you
16 are addressing this as General Counsel or -
17 MR. ROSENBLATT: Not as General
18 Counsel. If I address it as General
19 Counsel, he is not going to answer it,
20 right?
21 MR. LONG: You are right.
22 MR. ROSENBLATT: I am not the
23 sharpest guy in the world, but that I have
24 learned.
25 A I don't have any idea of what actions

Page 146

1
2 are available to flight attendants on any -- or
3 attendants on any means of conveyance, to insulate
4 themselves from any environmental factor. I just
5 don't have that ability.
6 Q Is smoking an addiction?
7 A I don't think so.
8 Q Have you ever known an individual who
9 tried very hard to give up smoking but who was
10 unable to do so?
11 A I have -- I have not.
12 Q How many people over the years have
13 you known who have quit smoking?
14 A I, personally?
15 Q Yes.
16 A I couldn't give you a number. A lot.
17 Q And it is your testimony that to the
18 best of your recollection, every one of them simply
19 made a decision to quit and they were able to
20 successfully do that, without having to see a
21 doctor or attend a course or anything of the kind?
22 A I have never done a survey of the
23 people within my acquaintance who have stopped
24 smoking, as to what methods they used, so I can't
25 answer your question.

Page 147

1
2 I have never had anybody come to me
3 and say I did this, this, or that to stop smoking.
4 Q So you -- so you really don't know
5 what people went through to successfully be able
6 to stop smoking?
7 A That is true of people within my
8 acquaintance.
9 Q Is alcoholism an addiction? Do you
10 think certain people become addicted to alcohol in
11 the sense that once they take that first drink,
12 they really can't stop themselves, and they will
13 drink to excess?
14 A I am not qualified to talk about
15 whether a first drink is a threshold level for
16 addiction or anything else.
17 I have read information that indicates
18 to me that alcoholism in many people is an
19 addiction. Whether that is true with respect to
20 everybody or not, I don't know. And my pause there
21 is because I have also read a great deal that
22 indicates that alcoholism is frequently genetic.
23 Therefore, I don't know whether it relates to
24 beginning or level of consumption.
25 Q So how do you answer the question, is

Page 148

1
2 alcohol addictive to some people?
3 A I don't know, but I expect it may be.
4 Q Is nicotine addictive to some people?
5 A I don't think it is.
6 Q You seem to have a very good handle on
7 the tobacco industry generally over the years, like
8 the way you were talking about that 30 years ago
9 you did, but basically the industry no longer uses
10 celebrities.
11 Is there a particular book on the
12 tobacco industry which you consider to be
13 authoritative, which gives a very good background
14 and history of that industry, that you would
15 recommend to the general public, someone who really
16 wanted to find out?
17 A No.
18 Q Could you point to anything?
19 A No. I am sure that any reasonably
20 well equipped research library would have a
21 variety of information on which a history of the
22 tobacco industry or any other industry could be
23 reconstructed, but a single or a number of specific
24 sources, no.
25 Q Are you familiar with a member of the

682705673

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(38)

Page 149

1
2 R.J. Reynolds family who has become very outspoken
3 against tobacco?
4 A I am not familiar with any member of
5 the R.J. Reynolds Tobacco family, personally.
6 Q I am not asking personally, but
7 something you may be aware of from the media,
8 magazine, television?
9 A If you can identify what you
10 specifically have in mind, if you tell me the
11 name, then I could tell you.
12 Q No, the purpose of my question is to
13 have you specify the name. Maybe you cannot.
14 Maybe you have never heard of them.
15 A Over the years I have heard of two
16 members of the Reynolds family, whose names I
17 cannot remember, who have publicly expressed
18 unhappiness with tobacco in their family.
19 Q Do you remember the context of any of
20 that? For example, whether or not you saw an
21 individual interviewed on television, or read a
22 magazine article?
23 A I think it was in the printed media,
24 but I don't - and I don't remember seeing anybody,
25 anybody on television, or in person, and I am

Page 150

1
2 sorry, I don't know their names.
3 THE WITNESS: And I am going to
4 need a break in a couple of minutes.
5 MR. ROSENBLATT: We can take it
6 now.
7 (Whereupon, a discussion was held
8 off the record.)
9 (Whereupon, a luncheon recess was
10 taken at 12:35 p.m.)
11
12 *****
13
14 AFTERNOON SESSION
15 (Time resumed: 1:15 p.m.)
16 ARTHUR J. STEVENS, recalled
17 as a witness, having been previously duly
18 sworn, was examined and testified further
19 as follows:
20 EXAMINATION BY
21 MR. ROSENBLATT: (Continued)
22 Q Mr. Stevens, who is Dr. Joseph
23 Feldman; what do you know about him?
24 A I think Dr. Feldman is Chairman of the
25 CTR SAB, Scientific Advisory Board.

Page 151

1
2 Q What is his background as a doctor, do
3 you know?
4 A I don't remember whether Dr. Feldman
5 is an M.D. or a Ph.D. He is one or the other, or
6 perhaps both.
7 Q Have you met at one time or another
8 all of the members of the Scientific Advisory
9 Board?
10 A I don't think I have met them all.
11 Q Who is Dr. Barry Pierce?
12 A I think he is Vice Chairman of the
13 CTR Scientific Advisory Board.
14 Q Do you know what his background is,
15 or his specialty is?
16 A No.
17 Again, I have not memorized the
18 discipline, or the affiliation, or the credentials
19 of each member of the SAB. I have a general
20 awareness of who they are, what kind of
21 institutions they come from, and information of
22 that sort.
23 Q Do you know where Dr. Pierce comes
24 from, what institution Dr. Pierce comes from?
25 A No, sir.

Page 152

1
2 Q How about Dr. Alfred Knudson?
3 A I do not know the particular
4 institution with which he is associated.
5 Q Do you know his specialty or if he is
6 an M.D. or a Ph.D.?
7 A I do not.
8 Q Okay.
9 A He is either a Ph.D. or an M.D., or
10 both.
11 Q Well, would that be true of all the
12 members of the Scientific Advisory Board?
13 A As I understand it, of the 14 members,
14 approximately half and half are M.D.s and Ph.D.s,
15 and I think there are one or two who are both M.D.s
16 and Ph.D.s.
17 Q What do you know about Dr. Gordon
18 Gill?
19 A The same thing. He is either an M.D.
20 or a Ph.D., and I do not know his discipline.
21 Q Or his institution?
22 A No, I - I can identify for you some
23 of the institutions that these gentlemen are
24 associated with, but not each individual with each
25 institution.

682705674

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(39)

Page 153

1
2 Q How about Dr. Michael Brennan?
3 A The same is true. I know him to be a
4 member of the SAB.
5 Q But whether he is an M.D. or a Ph.D.
6 you don't know?
7 A I do not.
8 Q Does that also go for Dr. Gordon Sato?
9 A Yes.
10 Q And does that also go for Dr. Manfred
11 Kamovsky?
12 A Yes, sir.
13 Q And for Dr. Leo Abood?
14 A Yes, sir.
15 Q And for Dr. Drummond Bowden?
16 A Yes, sir.
17 Q And for Dr. Henry Lynch?
18 A Yes.
19 Q And how about Dr. Harmon McAllister?
20 A I know Harmon McAllister to be a Ph.D.
21 and he is Scientific Director of the CTR.
22 Q Now, as the Scientific Director of the
23 CTR, is that a full-time job?
24 A Yes, sir.
25 Q So you have more contact with him than

Page 155

1
2 Dr. Swain is a new member of the SAB who I have
3 never personally seen or met.
4 Q And so without - without spending,
5 you know, more time trying to pick out individual
6 members of the Scientific Advisory Board, what you
7 have told me generally is you know that all of them
8 are either M.D.s or Ph.D.s.
9 There might be one or two that have
10 both degrees, but you - you can't take an
11 individual name and say with any degree of
12 certainty, this one is an M.D., this one is a
13 Ph.D.?
14 A That is correct.
15 Q Okay.
16 And the same would go for trying to
17 identify the particular institution which a member
18 of the Scientific Advisory Board is associated
19 with?
20 A That is correct.
21 Q Okay.
22 Did you interview Dr. Glenn prior to
23 the time he was hired?
24 A Yes, I think I did.
25 Q When you interviewed him, did you

Page 154

1
2 you would have with the other members of the
3 Scientific Advisory Board?
4 A I have no contact with the members of
5 the CTR SAB other than on the rare occasion that
6 they make a presentation of the type that I
7 described before.
8 I have some contact with Dr.
9 McAllister in the context that I testified to
10 earlier, principally in connection with the budget
11 for the CTR.
12 Q Do you know Dr. Wolfgang Joklik,
13 J-o-k-l-i-k, I think?
14 A I know him to be a member of the
15 Scientific Advisory Board.
16 Q And again, whether he is an M.D. or a
17 Ph.D. you are not sure?
18 A That is correct.
19 Q Okay.
20 Does the same go for Dr. Barry
21 Amason?
22 A Yes, sir.
23 Q And does the same go for Dr. Judith
24 Swain?
25 A I don't know Dr. Swain. Perhaps

Page 156

1
2 interview him alone or as part of a group?
3 A I believe I interviewed him in the
4 company of Dr. Spears, and if I could pinpoint the
5 year, we might have been accompanied by another
6 Lorillard executive, but I am not certain of that.
7 Q If it was another Lorillard executive,
8 who do you think that probably would have been?
9 A It would have been the then Chief
10 Executive.
11 Q Who would that be?
12 A Well, depending upon -
13 Q It varied?
14 A Depending upon the year, it was either
15 Mr. Ave or Mr. Judge.
16 Q Okay.
17 A And I want to make it clear, I am not
18 positive that either Mr. Ave or Mr. Judge were
19 present at that interview, although I think they
20 were.
21 Q How long was the interview, about?
22 A I don't recall.
23 Q Did you have direct input in the
24 decision as to whether to hire or not hire
25 Dr. Glenn?

682705675

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(40)

Page 157

1
2 A Mr. Greenberg - excuse me, Mr.
3 Rosenblatt, if you could assist me with the year
4 and tell me whether we are talking about Dr.
5 Glenn's hiring as Scientific Director or - I am
6 confused.
7 I think maybe he originally came with
8 CTR as Assistant Scientific Director and then
9 became Scientific Director. And it's not clear
10 to me exactly in which role we interviewed him,
11 although I think it was when he was becoming
12 Scientific Director.
13 Q Did you -
14 A Therefore, when he was first engaged
15 as Assistant Scientific Director, I am not sure
16 that we interviewed him, but I think we did when he
17 became Scientific Director.
18 Q Okay.
19 A I am not positive of that.
20 Q Okay.
21 Did you have direct input in the
22 decision as to whether or not he would become
23 Scientific Director or not become Scientific
24 Director?
25 A On the assumption that it was after

Page 158

1
2 1979, and I was on the Board of Directors, I would
3 have had direct input by way of participation in
4 the decision of hiring.
5 Q And how about when he became
6 President, was he reinterviewed?
7 A No, sir.
8 Q Okay.
9 A I don't recall that he was.
10 Q All right.
11 Have you been satisfied with the
12 performance of Dr. Glenn?
13 A Completely.
14 Q How often do you have occasion to have
15 contact with Dr. Spears?
16 A On a very regular basis.
17 Q Daily, weekly?
18 A Not daily. Sometimes three times in
19 one day, and then not for two days.
20 Q But I take it, it would certainly be
21 rare for a week to go by and you to have zero
22 contact with him?
23 A That would be right.
24 Q Okay.
25 And generally when you are having the

Page 159

1
2 contact with Dr. Spears, what is the reason for
3 that contact? What do you discuss or what are you
4 doing together?
5 A Almost without exception, it is in my
6 capacity as General Counsel.
7 MR. ROSENBLATT: So there is not
8 a lot of point in my asking him what he
9 discussed, right, because you are going to
10 instruct him not to answer?
11 MR. LONG: Yes, because he is the
12 lawyer, and he is the client, and it is
13 privileged.
14 MR. ROSENBLATT: All right.
15 Obviously, I don't agree with you, but
16 I think I have an understanding of what your
17 position has been in the deposition.
18 Q What is Dr. Spears' area of expertise?
19 A I believe I have testified earlier
20 that I think he is trained as a chemist. He has, I
21 believe, a good deal of expertise, training and
22 experience in statistics. He is a tobacco chemist.
23 And he, as I testified earlier, is - did you ask
24 what his responsibilities were or what his
25 expertise was?

Page 160

1
2 Q Expertise.
3 A It is as I have just described.
4 Q What are his responsibilities?
5 A I think I testified earlier, he is the
6 senior officer at our Greensboro operation. He
7 has, I believe, Operations as well as Research
8 and Development reporting to him. And he has
9 responsibilities with respect to our international
10 sales business.
11 Q So most of your contact with him is by
12 telephone, or do you have occasion to go down there
13 and does he have occasion to come to New York?
14 A Most of it is by telephone. He comes
15 to New York. I go to Carolina.
16 Q How often do you go to Carolina?
17 A Two or three times a year perhaps,
18 sometimes once a year. He comes to New York more
19 frequently.
20 Q To your knowledge, has he ever been
21 directly involved with research on the issue of
22 smoking and health?
23 MR. LONG: If this is something
24 you know outside your role as General
25 Counsel, then you can answer it. If not,

Page 157 to Page 160

(212) 267-4150

STERLING REPORTING SERVICE, INC.

682705676

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(41)

Page 161

1
2 don't answer it.
3 A Everything that I know as to his
4 involvement is in my capacity as General Counsel.
5 Q I am not asking you what he knows. I
6 am simply asking you at this point whether or not
7 he is involved in research in that area.
8 A And my knowledge of his involvement is
9 in my capacity as General Counsel.
10 Q When will Dr. Spears be in New York
11 next?
12 A I have no idea. He doesn't file his
13 schedule with me. I don't know.
14 Q You don't have a meeting set up or
15 anything like that, in New York, with him?
16 A No.
17 Q Is he a statistician? You indicated
18 he has some -
19 A I don't think he has credentials as a
20 statistician. I think he has some background
21 education in it.
22 Q And he has a Ph.D. in chemistry?
23 A Either chemistry or biology, and I
24 believe it is chemistry, but I am not positive.
25 Q From what institution?

Page 163

1
2 with them on a regular basis. It really depends
3 upon how active the legislative calendar is.
4 Q When you deal with the Tobacco
5 Institute, is there a particular individual you
6 deal with most often?
7 A I deal with a number of people there.
8 I probably deal with the President of the Tobacco
9 Institute more often than any other single person.
10 Q And after the President, who would you
11 deal with most frequently?
12 A That really depends upon what the
13 subject matter is, and who at the Tobacco Institute
14 at the time has responsibility for the area in
15 which I have an interest.
16 Q Would you say you have weekly contact
17 with the President of the Tobacco Institute?
18 A Most weeks.
19 Q How often do you see the President of
20 the Tobacco Institute, personally?
21 A Perhaps six, eight, ten times a year.
22 Some years six, some years eight, some years ten.
23 Q Is it accurate to characterize the
24 Tobacco Institute as the communicator for the
25 tobacco industry, to the public, to the media?

Page 162

1
2 A I believe the University of the State
3 of New York at Buffalo, but I am not positive.
4 Q You described him as a tobacco
5 chemist. What does that mean?
6 A It means that he is trained and has
7 experience in the chemistry relating to tobacco.
8 I don't know how else I can describe
9 it.
10 Q Well, what does that mean to you?
11 Obviously, you know, a tobacco chemist
12 has something to do with both chemistry and
13 tobacco, but the question is what?
14 A I am not a chemist, so I don't know
15 the scope of his knowledge. As compared with a
16 biologist or a chemist who is in the pharmaceutical
17 business, or who makes fertilizers or who produces
18 cookies, he is a tobacco chemist.
19 Q When you are talking about tobacco
20 chemist, does that have to do with blending and
21 taste, or do you know?
22 A I don't know. I do not know.
23 Q When you deal with the Tobacco
24 Institute, how frequently do you deal with them?
25 A That really depends upon - I deal

Page 164

1
2 A As the trade association for the
3 tobacco industry, communications are part of the
4 mission of the Tobacco Institute.
5 Q Would you say it's a primary mission?
6 A No.
7 Q What is their primary mission?
8 A Legislation.
9 Q In what sense? What are they doing
10 with respect to - I mean, the answer would seem
11 obvious, but I want to hear you say it.
12 A They actively lobby on behalf of the
13 industry with respect to federal, state and local
14 legislation.
15 Q They lobby in the sense of -
16 A They lobby and coordinate lobby and
17 engage others to lobby.
18 Q They would - they would try to
19 prevent any legislation that adversely impacted the
20 tobacco industry, whether at the national, state,
21 or local level?
22 A They would try and influence the
23 language and content of legislation at those
24 levels; not necessarily preventive.
25 Q Does the Council for Tobacco Research

682705677

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(42)

Page 165

1
2 communicate its findings in its annual report and
3 its research conclusions to the Tobacco Institute?
4 A I don't know that it makes any special
5 or different communication to the TI that would be
6 different than the communication it otherwise makes
7 to the public.
8 I know of no other communication.
9 I testified earlier that CTR
10 communicates its results in a variety of ways, a
11 number of which are public communications. Those
12 reach the Tobacco Institute, as well.
13 Q Well, wouldn't CTR want the Tobacco
14 Institute personnel to be aware of their research
15 findings?
16 A CTR and the Tobacco Institute are
17 completely separate and independent organizations
18 of one another.
19 Q Yes. I am not really disputing that,
20 but don't they talk to each other and communicate
21 with each other?
22 A I don't know that there is - I don't
23 know the communication between the two. It's my
24 sense that there is not a great deal, if any,
25 that is not otherwise also the subject of public

Page 167

1
2 Journal calls you up and wants you to comment
3 publicly about the EPA report, Surgeon General's
4 report, what is your practice?
5 A We do not respond to the press.
6 Q Why is that?
7 A Company policy.
8 Q Set by who?
9 A By the senior management of the
10 company.
11 Q Are you -
12 A By the Board of Directors.
13 Q Are you part of that?
14 A Indeed.
15 Q And what has been the reason for that?
16 A It has been a policy in place for many
17 years. It's our decision that we have no desire to
18 engage in colloquy with the press.
19 Q But I thought you were also in the
20 information business, trying to clarify in the
21 public's mind the situation with respect to whether
22 or not cigarette smoking is dangerous.
23 MR. LONG: There is no question.
24 A Do you have a question?
25 Q Yes.

Page 166

1
2 communication by the CTR.
3 Q In terms of the Tobacco Institute
4 influencing legislation, lobbying for or against
5 certain legislation, isn't it as a practical matter
6 very important for them to know the research
7 results for which money is being funded by CTR?
8 A It certainly could be in many
9 instances, and it is one of the resources of
10 information among many others that the TI uses for
11 that purpose.
12 Q Why does the tobacco industry need a
13 trade association?
14 In other words, why can't Lorillard do
15 its thing and Philip Morris do its thing?
16 A For the same reason that any industry
17 elects to deal with respect to its legislative
18 agenda through a trade association. So that it can
19 be coordinated, so that it is orderly, so that it
20 is efficient. And so that it can be addressed to
21 the constituency that it has to be addressed to in
22 an efficient, reasonable fashion.
23 Lots of industries have trade
24 associations.
25 Q If The New York Times or Wall Street

Page 168

1
2 That being the case, why in the world
3 wouldn't you want a direct communication with the
4 media?
5 MR. LONG: I object to the
6 question. I think it misstates or
7 mischaracterizes his testimony, so I
8 object as to form, on that basis.
9 Q You can answer.
10 A No, I really don't understand the
11 question.
12 Q I am trying to understand why you have
13 the policy of not - who is in a better position to
14 tell the guy from The New York Times, Sarokin does
15 not know what he is talking about, which is what I
16 heard you say today.
17 Why in the world would you, as General
18 Counsel, Senior Vice President, in your experience,
19 not straighten the guy out?
20 Why is it your policy not to talk to
21 him?
22 A Because we don't engage in litigation
23 in the public press.
24 Q Litigation?
25 A You prefaced your question, I thought,

Page 165 to Page 168

(212) 267-4150

STERLING REPORTING SERVICE, INC.

682705678

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(43)

Page 169

1
2 sir, why wouldn't I want to explain Judge Sarokin's
3 opinion in the Haines thing. We do not discuss it
4 with the press.
5 Q Let's say a guy from The New York
6 Times calls and wants to know if the Council for
7 Tobacco Research is a fraud on the public,
8 irrespective of anything Sarokin said in the Haines
9 case.
10 Why in the world wouldn't you say,
11 absolutely not, we are not a fraud, we are an
12 honest organization?
13 MR. LONG: I object to the
14 question. The question involves speculation
15 in the form it is phrased.
16 Q You can answer it.
17 A I can't speculate. I told you it is
18 our policy not to talk to the press. We certainly
19 don't discuss litigation with them.
20 Q Has anyone at the Council for Tobacco
21 Research ever said, to your knowledge, that they
22 were against the Special Projects Division or
23 felt uncomfortable about the role of the Special
24 Projects Division?
25 MR. LONG: I am going to object to

Page 170

1
2 the question, insofar as it may require
3 information from you as General Counsel.
4 If you have other information, go ahead and
5 respond.
6 A It has never been expressed to me in
7 any context.
8 Q Has it ever been expressed to anyone
9 else, that you are aware of?
10 A No, sir.
11 Q We went through, a little earlier, the
12 various members of the Scientific Advisory Board of
13 CTR.
14 After the article that we have talked
15 about earlier that appeared in the Wall Street
16 Journal, which accused CTR of being a fraud, after
17 Judge Sarokin's opinion in the Haines case got
18 attention calling the tobacco industry the kings of
19 disinformation, did any member of the Scientific
20 Advisory Board of CTR ever say anything along the
21 line of, hey, what is going on here? Is that true?
22 A No member of the SAB addressed such a
23 comment to me directly.
24 I believe I read, perhaps in the
25 public press, that some members of the SAB and

Page 171

1
2 some members - excuse me, and some SAB grantees
3 expressed outrage and disagreement with the
4 characterization in the article, and said that the
5 CTR program was a very qualified, very bona fide
6 and credible program.
7 Q Well, isn't it true that the members
8 of the Scientific Advisory Board would have no
9 knowledge about the Special Projects Division,
10 whether it existed, what it did, or what it didn't
11 do?
12 A Yes, but I understood your question -
13 MR. LONG: You can answer to the
14 extent that it doesn't involve what you do
15 as General Counsel or knowledge gained in
16 that way.
17 A I am addressing it as a member of the
18 Board of Directors.
19 I understood your question to be in
20 the context of the Wall Street Journal article and
21 expressions about that article by the SAB. And
22 my recollection is that the Wall Street Journal
23 article and the comments by the SAB members dealt
24 with the SAB CTR independent research program.
25 I do not recall any commentary by the

Page 172

1
2 SAB regarding CTR's Special Projects.
3 Q You would agree, would you not, that
4 the members of the Scientific Advisory Board don't
5 know anything about the Special Projects Division?
6 MR. LONG: If you have information
7 other than as General Counsel, answer.
8 A I don't know - I have never had a
9 discussion, therefore, I have no firsthand
10 knowledge, with an SAB member as to their knowledge
11 of CTR's Special Projects.
12 Everything else that I know about
13 CTR's Special Projects, I know in my capacity as
14 General Counsel.
15 Q Well, in any capacity, do the members
16 of the Scientific Advisory Board have any reason to
17 interface in any way with the Special Projects
18 Division?
19 MR. LONG: As far as the question
20 calls for any capacity, if you know through
21 your knowledge as the CTR Director, fine.
22 If it's something that you have seen
23 or done in connection with your General
24 Counsel capacity, then don't answer the
25 question.

682705679

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(44)

Page 173

1
2 A In my capacity as a member of the
3 Board of Directors, I have no knowledge as to
4 whether SAB has any knowledge of the Special
5 Projects.
6 Q The people that have knowledge of the
7 Special Projects Division are lawyers and the top
8 executives; isn't that correct?
9 A My knowledge of the CTR Special
10 Projects function, not division, because there is
11 no division that I am aware.
12 Q It's just called Special Projects?
13 A I believe so.
14 Q Okay.
15 A My knowledge of that as a Director
16 informs me that those who are familiar with CTR's
17 Special Projects are lawyers.
18 To the extent that executives,
19 non-lawyers at Lorillard have knowledge of CTR's
20 Special Projects, they have that knowledge from me
21 in my capacity as General Counsel.
22 Q It would seem to me, I am giving you
23 an incredible opportunity. You are not the first
24 tobacco industry person at a very high level who
25 has told me under oath that the Wall Street Journal

Page 174

1
2 article accusing CTR and Special Projects of being
3 this vile, disgusting fraud on the American public
4 is not true.
5 And I am asking you, tell me why it's
6 not true. And, you know, you are asserting
7 attorney-client privilege when I am giving you this
8 great opportunity to tell me what Special Projects
9 does and why it's an honest, objective, sincere,
10 terrific organization.
11 (Whereupon, a discussion held off the
12 record.)
13 MR. ROSENBLATT: Let the record
14 reflect that the witness and counsel are
15 whispering to each other.
16 THE WITNESS: Conferring.
17 MR. ROSENBLATT: Yes, conferring,
18 whispering to each other.
19 MR. LONG: I object to the
20 question as argumentative, calling for
21 speculation, attorney-client privilege.
22 And I am the attorney who is making
23 the attorney-client objection.
24 I am the one be who is instructing
25 the witness not to answer. Whether or not

Page 175

1
2 anybody appreciates the opportunity simply
3 as a way of avoiding the waiver -
4 MR. ROSENBLATT: How about if I
5 said to you that on that question, I will
6 agree that you have not waived?
7 MR. LONG: No.
8 MR. ROSENBLATT: You are not
9 interested?
10 MR. LONG: No.
11 MR. ROSENBLATT: Okay.
12 Q Does the Research and Development
13 Division of Lorillard conduct research as to issues
14 of tobacco and health?
15 A My knowledge of that is in my capacity
16 as General Counsel.
17 MS. ROSENBLATT: That is just a
18 basic question as to what a particular
19 division of your company does as part of
20 its function. And you are asserting an
21 attorney-client privilege?
22 MR. LONG: We understand the
23 question. I think you asked the same
24 question of Andrew Tisch, and we had no
25 problem with that, but we are not going

Page 176

1
2 to take the risk of some waiver of some
3 communication of information that Mr.
4 Stevens has as General Counsel of Lorillard.
5 We just don't go out and depose
6 attorneys and ask them what is going on with
7 their company in litigation.
8 MS. ROSENBLATT: This is a Senior
9 Vice President of the company who,
10 presumably, after 25 years with Lorillard,
11 knows whether research is conducted or not.
12 This is part of a discovery
13 deposition. This is certainly not
14 privileged communication. We are not
15 asking him -
16 MR. LONG: Again, you seem caught
17 up on this Senior Vice President thing. A
18 Senior Vice President and General Counsel,
19 it's the same thing if a person is a Senior
20 Vice President of sales, that means they
21 deal with sales. Senior Vice President and
22 General Counsel, that deals with legal or
23 whatever.
24 I mean, he does not have a Vice
25 President, General Counsel hat. You are

Page 173 to Page 176

(212) 267-4150

STERLING REPORTING SERVICE, INC.

682705680

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(45)

Page 177

1
2 asking him what he knows as General Counsel
3 concerning what goes on at Greensboro,
4 asking him to get into conversations about
5 what he reviews, asking him to talk about
6 what he talks about with Dr. Spears, and
7 that is all privileged information.
8 Now, if there are other sources of
9 that information, there are other sources.
10 You asked these same questions of Andrew
11 Tisch, and we are not going to take the
12 chance of waiving here.
13 If you want to fight it out in court,
14 then we will fight it out.
15 MS. ROSENBLATT: Well, you are not
16 waiving the privilege. You are instructing
17 him not to answer. We agreed not to waive
18 it to obtain information.
19 Maybe his information is not the same
20 as Mr. Tisch. We have the right to ask
21 those questions.
22 MR. LONG: You do, and I have the
23 right to instruct him according to my legal
24 judgment and that is what I am doing.
25 MS. ROSENBLATT: All right.

Page 179

1
2 Andrew Tisch?
3 A He is the Chief Executive.
4 Q Yes, okay.
5 Who at Lorillard, other than you,
6 would know the most about the 1,500 documents of
7 the Special Projects Division of CTR?
8 A Other lawyers.
9 Q Okay.
10 Excluding lawyers, Spears and the
11 Chief Executives?
12 A Well, when you say have knowledge of
13 it -
14 Q The most knowledge, the most
15 meaningful knowledge.
16 MR. LONG: Let me object.
17 Are you, in essence, asking him who
18 he has discussed the subject matters with?
19 MS. ROSENBLATT: Just the
20 identities of the people, from whatever
21 source, based on his - whatever hat he is
22 wearing, who he believes would probably know
23 the most about Special Projects, who are not
24 lawyers.
25 That is what we are asking. We are

Page 178

1
2 BY MR. ROSENBLATT:
3 Q Who are the individuals at Lorillard
4 who have the most technical knowledge on the issues
5 of tobacco and health?
6 A Dr. Spears.
7 Q Who would be the No. 2 person in that
8 category after Dr. Spears?
9 A Perhaps Dr. Norman, or others in the
10 research and development area.
11 Q What individual or individuals at
12 Lorillard would have the most knowledge about these
13 Special Projects at CTR, other than you?
14 A Other than me?
15 Q Well, you are not telling me.
16 A I testified to - I testified earlier
17 that such information as any other executive at
18 Lorillard has about Special Projects, they would
19 have learned from me in my capacity as General
20 Counsel.
21 Q I am not asking you what you told
22 them, but who are those individuals?
23 A It would be Dr. Spears, and perhaps,
24 from time to time, the then Chief Executive.
25 Q And certainly you would have told

Page 180

1
2 not even asking him if he talked to these
3 people or what he told them.
4 A The subject of those documents has
5 been reported in the public press. Who within the
6 company read about that, and, therefore, knows of
7 the existence of the documents, I do not know.
8 Q Well, who did you tell at Lorillard
9 that the reports in the public press were a lot of
10 BS?
11 MR. LONG: I am going to instruct
12 him not to answer.
13 You are asking the identity of
14 someone he has discussed the subject matter
15 with, which is the same thing as saying,
16 have you discussed this in your role as
17 an attorney, as naming someone and asking
18 that.
19 Q The Special Projects Division of CTR
20 has been in existence a long time. All I am
21 asking you for now is to tell me the name of any
22 individual at Lorillard who is not an attorney who
23 you would figure would know about the background,
24 the history, the purpose. Who would know most
25 about Special Projects?

682705681

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(46)

Page 181

1
2 A I believe I testified to that earlier.
3 I said Dr. Spears and Chief Executives.
4 Q Okay.
5 How often do you have occasion to
6 have any communication with Brennan Dawson of the
7 Tobacco Institute?
8 A From time to time. I could not
9 quantify. I have no regular contact with her. I
10 will talk with her as the occasion arises with
11 respect to a particular pronouncement, or
12 announcement, or press conference, or press release
13 by the Tobacco Institute. I can't quantify it.
14 A Couple of times a year, perhaps.
15 Q Why do you think it is that the
16 American Lung Association, the American Heart
17 Association, and the American Cancer Society
18 accept without equivocation the same conclusions
19 as the Surgeon Generals of the United States have
20 accepted, and that is that cigarette smoking
21 causes cancer, heart disease, emphysema and other
22 diseases?
23 MR. LONG: I object to the
24 question. It calls for speculation, but
25 you can answer.

Page 182

1
2 A I don't know.
3 Q Well, isn't it obvious to you that the
4 reason they do is because they have no financial
5 interest in selling cigarettes?
6 A No, it's not obvious to me.
7 Q Well, name one prestigious
8 organization, such as the American Cancer Society,
9 the American Heart Association, the American Lung
10 Association, who agrees with the tobacco industry
11 position that, gee whiz, after all these years, the
12 studies are lousy, they are statistical, they are
13 risk factors, and causation has not been proven.
14 Who is saying that in America other than the
15 tobacco industry?
16 A Well, I don't know that I can recite
17 it chapter and verse, but my understanding is that
18 even the very first Surgeon General's report in
19 1964, which cited epidemiological studies, said
20 that epidemiological studies did not demonstrate
21 scientific cause.
22 My understanding is that there have
23 been similar pronouncements by other organizations,
24 and other doctors, and other scientists.
25 I cannot give you a -- a listing of

Page 183

1
2 who they are.
3 Q Well, I am not asking you for a
4 listing, Mr. Stevens. Since 1980, name one.
5 A I can't name one. I know that there
6 have been doctors and others who have testified
7 before Congress, who have testified in lawsuits,
8 who take an entirely different position than the
9 organizations that you referred to.
10 Q You can't name one of them?
11 A We have had some of our smoking and
12 health litigation expert witnesses who have so
13 testified.
14 Q But they have been paid by the tobacco
15 industry. I am talking about someone who has never
16 gotten a dime from the tobacco industry.
17 A I cannot identify anyone for you.
18 Q Who was your expert witness in the
19 Cipollone case?
20 A I don't remember the names of the
21 expert witnesses.
22 Q None of them?
23 A No, sir.
24 We have had a number of cases over the
25 years, and I do not know the names of every expert

Page 184

1
2 witness we ever gave.
3 Q You keep saying ever, and you can't
4 give me a list. I am not asking you for ever, or a
5 list, I am asking you for one name.
6 A I understand. I cannot give you one
7 name.
8 Q Okay.
9 Did you read the EPA report on passive
10 smoke?
11 A I did.
12 Q Did you agree with it?
13 MR. LONG: Just a second. Are you
14 asking him -- well, I am going to ask him a
15 question. Did you read it in your capacity
16 as General Counsel?
17 THE WITNESS: Yes.
18 MR. LONG: Any other capacity?
19 THE WITNESS: No.
20 MR. LONG: I instruct you not to
21 answer.
22 Q In some 40 years of funding studies
23 by the Council for Tobacco Research, has it been
24 established that cigarette smoking causes any
25 disease?

682705682

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(47)

Page 185

1
2 A My familiarity with the research
3 results from the CTR stems from 1969 on. I can't
4 recite for you the chapter and verse of the results
5 of any of the research published as a result of CTR
6 funding, so I am unable to answer your question.
7 Q Okay.
8 But, I mean, that is a pretty basic
9 question. And initially, I am asking it
10 conceptually, not for the name of any particular
11 study, but whether there has been a single study
12 ever funded by CTR, or since 1969, that has ever
13 established that cigarette smoking causes any
14 disease?
15 A That has established that it causes
16 any disease?
17 Q Any disease, any condition or disease.
18 A It may very well be, but I don't know
19 what it is.
20 Q Isn't the simple truth of the matter,
21 Mr. Stevens, that CTR is in the business, and for
22 40 years has been in the business of creating doubt
23 in the public mind, so that when a member of the
24 public reads a Surgeon General's report or reads
25 statistics from the Center for Disease Control,

Page 187

1
2 York suburban area, I believe.
3 Q Do you have contact with him?
4 A No, sir.
5 Q Since when have you not had contact
6 with him?
7 A Since he retired from the Council for
8 Tobacco Research.
9 Q When did he retire, about?
10 A I believe at the -- sometime at the
11 end of 1992.
12 Q Before he retired, how often did you
13 have contact with him?
14 A Two, three times a year.
15 Q Is it your understanding that when
16 Mr. Girdenbach retired, that he ceased to have any
17 further connection with CTR, or does he still have
18 some contact with CTR?
19 A I think he has or has had some
20 consultancy arrangement with the CTR.
21 Q You really don't know the details of
22 it?
23 A I don't know. I am of the impression
24 that he has a consultancy and that it relates
25 primarily to fiscal and administrative matters,

Page 186

1
2 or reads reports from the American Cancer Society,
3 the American Heart Association, the American Lung
4 Association, they can have some basis for
5 continuing to smoke?
6 MR. LONG: Object to the form of
7 the question. It's argumentative and
8 extremely compounded.
9 A I have no response.
10 Q If Ted Koppel called up Dr. Spears and
11 asked him to debate, for example, Surgeon General
12 Koop, and Dr. Spears called you and said, can I
13 debate him on the issue of smoking and health, what
14 would you say?
15 MR. LONG: I object to that
16 question. That is clearly calling for
17 what communications he would have with his
18 client. That is purely privileged and
19 argumentative and speculative, and I
20 instruct you not to answer.
21 Q Where is Robert Girdenbach (phonetic)
22 these days, do you know?
23 A Do you mean where does he live?
24 Q Yes.
25 A He lives somewhere here in the New

Page 188

1
2 which was the principal area of his responsibility
3 when he was a full-time employee.
4 Q Do you know what he gets paid since he
5 is retired?
6 A As a consultant?
7 Q Yes.
8 A No, sir, I don't.
9 Q Has anyone, to your knowledge, ever
10 quit Lorillard as a matter of conscience, saying
11 that either I had a relative who has died or has
12 lung cancer who was a heavy smoker or, hey, I am
13 convinced that the Surgeon General is right and we
14 make a horrible product, it is killing people and
15 I want out of here; has anyone ever done anything
16 like that?
17 A Not in my 25 years has that been
18 communicated to me, and I know of no one.
19 Q Have you ever heard of any such story
20 from any other tobacco company where someone --
21 A With respect to their employees or
22 Lorillard employees?
23 Q Their employees.
24 A Only what you referred to in your
25 question this morning when you questioned me about

682705683

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(48)

Page 189

1
2 some relatives or some former relatives of
3 Reynolds.
4 Q If there was some way of convincing
5 you, and you did become convinced that cigarette
6 smoking does, in fact, cause cancer, would you quit
7 your job?
8 MR. LONG: I object to the
9 question, insofar as that it's a
10 hypothetical and it calls for speculation.
11 You can answer.
12 A I testified earlier that I would have
13 to be convinced on the basis of the conclusive
14 scientific evidence that I described before, large
15 scale animal testing, replicated.
16 If on the basis of that information I
17 was convinced, and I was able to make an assessment
18 that the public - that the cigarette smoking
19 public was aware of these conclusions, and accepted
20 them, and continued to smoke, then I would see no
21 reason to leave the business.
22 Again, assuming it was still legal to
23 make and sell the product.
24 Q In questioning one tobacco executive
25 in this case under oath, you know, he kept saying

Page 191

1
2 Q Well, for 40 years, CTR has been
3 looking, and you don't have an answer, and
4 obviously, you are not going to have an answer in
5 the next 40 years.
6 You are going to keep saying in the
7 next 40 years that it has not been proven?
8 A I rejected that premise earlier, sir,
9 and I am rejecting it now. I am saying that CTR
10 and others, many of whom are funded by the
11 government, are continuing to look into the
12 question, as research is being made into a whole
13 host of other medical questions.
14 Q You figure an answer is around the
15 corner?
16 A You asked me that earlier, and I said
17 I don't know.
18 Can I take a hygiene break?
19 Q Sure.
20 (Whereupon, a recess was taken at
21 this time.)
22 Q Do you know anyone in Congress well,
23 that you can pick up the phone and get them on the
24 telephone, either in the Senate or the House?
25 A No, I don't have that close a

Page 190

1
2 he was a businessman and he sells a legal product.
3 And I asked him, I said, so what you
4 are really saying to me is you know it's a legal
5 product, the information is out there, and whether
6 or not cigarette smoking causes disease, you really
7 don't care. And he said, "Right, I really don't
8 care."
9 Is that your attitude?
10 MR. LONG: I am going to object to
11 the question insofar as it calls for him to
12 comment upon the testimony of some other
13 witness in some other deposition.
14 MR. ROSENBLATT: I am not asking
15 him to comment. I am just giving him
16 background.
17 MR. LONG: You are certainly
18 asking him to comment on somebody else's
19 testimony.
20 Q I am simply saying, is that your view,
21 as well?
22 A No, that is not my view.
23 Q What is your view? Do you give a
24 damn?
25 A Of course, I give a damn.

Page 192

1
2 relationship with any member of Congress that my
3 phone call would be instantly taken.
4 Q Not instantly taken. I didn't say
5 anything about instantly taken.
6 A Yes, I could reach the Congressman
7 from Greensboro and get a return call.
8 Q Who is that?
9 A Howard Coble.
10 There are probably other members of
11 Congress who would return my call.
12 Q Like who?
13 A Tom Bliley from Virginia. A whole -
14 it's not a long list. I don't have regular contact
15 with members of Congress.
16 Q Is there anyone you know in the U.S.
17 Senate on a first name basis?
18 A Absolutely not.
19 Q Anyone in politics, anywhere in
20 New York, at the state level or local level? I
21 mean, did you know Dinkins well?
22 A No, sir.
23 Q Giuliani well?
24 A No, sir.
25 I don't know any politicians, elected

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(49)

Page 193

1
2 officials at the moment that come to mind who I am
3 on a first name basis with.
4 Q In this case, this lawsuit, there are
5 a lot of Plaintiffs. And obviously, at least it
6 is obvious to me, that the Plaintiffs are being
7 investigated, in terms of their background, that
8 kind of thing.
9 Who is in charge of that?
10 MR. LONG: I am going to instruct
11 the witness not to answer.
12 You are asking him questions about
13 litigation, things that he would only know
14 by being told by outside counsel, him being
15 inside counsel, and I instruct you not to
16 answer.
17 Q What is your secretary's name?
18 A Flora Puoplo.
19 Q How long has she worked for you?
20 A It will be a year on the 17th of this
21 month.
22 Q Who was your secretary before your
23 present secretary?
24 A Pauline Marchese.
25 Q How long did she work for you?

Page 195

1
2 MR. LONG: Well, if you are asking
3 him as General Counsel, that will make it
4 easy.
5 MR. ROSENBLATT: I am not asking
6 him as General Counsel.
7 MR. LONG: You just said you were.
8 MR. ROSENBLATT: No. He has just
9 been in and around the cigarette industry
10 for a quarter of a century, and I want to
11 know what he thinks is in the cigarette
12 industry.
13 A I am not a marketer, and I don't take
14 surveys of cigarette smokers.
15 My understanding is that there are
16 millions of cigarette smokers who derive great
17 pleasure out of smoking cigarettes for a variety of
18 reasons.
19 Q Isn't it true that any medical
20 research with findings negative to the tobacco
21 industry, historically, was placed in the Special
22 Projects category so that it could be hidden from
23 the general public?
24 MR. LONG: I object to the
25 question as being argumentative, and

Page 194

1
2 A Approximately 17 years.
3 Q Why - why did she leave?
4 A She retired.
5 Q Where does she live?
6 A She lives in Queens County, New York
7 suburb.
8 Q Do you have any relatives that work in
9 the tobacco industry?
10 A No, sir.
11 Q Where were you born?
12 A In Jamaica, New York, Queens County.
13 Q And you grew up in that area?
14 A Yes, sir.
15 Q Went to high school in New York?
16 A Yes.
17 Q Since you, yourself, are a non-smoker,
18 and have never smoked cigarettes, what do
19 cigarettes do for the American public?
20 MR. LONG: I am going to object to
21 the question as being extremely vague.
22 MR. ROSENBLATT: If someone is in
23 the business of just General Counsel for a
24 major cigarette company, it's not a very
25 difficult question.

Page 196

1
2 furthermore, I - would you read the
3 question back?
4 (Whereupon, the record was read.)
5 MR. LONG: If you have got
6 information responsive to that, separate
7 and apart from what you have learned as
8 General Counsel, you can answer.
9 A I do not. I have testified earlier
10 that everything and anything that I know about
11 Special Projects, I know in my capacity as General
12 Counsel.
13 Q How could you pass up the opportunity
14 of setting everyone straight on that, that Special
15 Projects was not a fraud on the American public,
16 as asserted by so many, including a newspaper that
17 would ordinarily be very friendly to business?
18 MR. LONG: Okay. If that is the
19 question, then again, as I said before, I
20 don't know that it's a golden opportunity.
21 I am giving him instructions and
22 making the objection. And I am instructing
23 him not to answer, and it is an issue of
24 waiver. Once you open the door on
25 something -

682705685

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(50)

Page 197

1
2 MR. ROSENBLATT: I will waive the
3 waiver.
4 MR. LONG: Who is going to waive
5 the waiver when the transcript comes out
6 and somebody else reads it?
7 Q You are not taking advantage of the
8 golden opportunity based on your counsel's
9 instruction to you; correct?
10 A That is correct.
11 MR. LONG: I object to the
12 question as argumentative. What he is
13 doing is refusing to answer the question
14 based upon my advice.
15 MR. ROSENBLATT: Well, I mean
16 obviously, even if I - I don't concede
17 that it's argumentative. But obviously,
18 even if I asked it in a perfectly formed,
19 non-argumentative way, your instruction
20 would be the same?
21 MR. LONG: My instruction is
22 that if it calls for information that
23 he received as General Counsel, that
24 he considers to be work product or
25 attorney-client privilege information,

Page 199

1
2 (Whereupon, the record was read.)
3 MR. LONG: If you have information
4 that you can respond to the question outside
5 of things that you know as -
6 A In my capacity as CTR Director, my
7 answer to that question is no.
8 Q Could you explain that answer? Why is
9 your answer no?
10 A Because as a member of the Board of
11 Directors of CTR, I have no indication that the CTR
12 is manipulated by anyone.
13 Q Well, as a member of the Board of
14 Directors of CTR, you have no information about
15 Special Projects, do you?
16 A That is not what I testified earlier.
17 I said I knew as a member of the Board of Directors
18 of CTR that CTR's Special Projects existed.
19 And everything else that I know about
20 it, information and knowledge about CTR Special
21 Projects, is in my role as General Counsel.
22 Q But, obviously, if research results
23 that are negative to the tobacco industry are being
24 hidden, then as a member of the Board of Directors
25 of CTR, you are officially being manipulated,

Page 198

1
2 something in his capacity as General
3 Counsel, I am instructing him not to
4 answer.
5 Q Who at Lorillard could answer that
6 question without asserting the attorney-client
7 privilege?
8 A Can I hear the question again?
9 (Whereupon, the record was read.)
10 A No one at Lorillard could answer that
11 question, because they would consult with me, as
12 General Counsel.
13 Q And do you know why the American
14 public hates lawyers?
15 A I have a pretty good idea.
16 Q I do, too.
17 Basically it's answers like that.
18 It's double talk.
19 Hasn't the tobacco industry
20 manipulated the Council for Tobacco Research
21 through the Special Projects category?
22 MR. LONG: I am going to object to
23 the question. It's argumentative.
24 And could you read the question back
25 again?

Page 200

1
2 because all you know is that Special Projects
3 exists as a Board of Director member, you don't
4 know what it does?
5 MR. LONG: I object to the
6 question as being extremely argumentative.
7 Assuming facts not in evidence.
8 There is no evidence anywhere that a
9 single study ever done in connection with
10 Special Projects was in any way hidden.
11 MR. ROSENBLATT: How about the
12 Haines decision? It's just 40 pages.
13 MR. LONG: The Third Circuit
14 Haines opinion or the one that reversed
15 Judge Sarokin?
16 MR. ROSENBLATT: Both.
17 MR. LONG: You have got Sarokin's
18 opinion, and it's reversed. It was
19 vacated.
20 MS. ROSENBLATT: It was not vacated
21 on the merits. Procedurally - I just want
22 the record to be clear. There was never a
23 finding in the Third Circuit that anything
24 that Judge Sarokin found from the documents
25 was erroneous.

Page 197 to Page 200

(212) 267-4150

STERLING REPORTING SERVICE, INC.

682705686

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(51)

Page 201

1
2 What there was, was a finding that he
3 should not have consulted certain documents
4 that were being considered by the Special
5 Master.
6 There was a suggestion that the
7 Special Master reviewed these in terms of
8 the attorney-client privilege, and whether
9 it had been waived because of the fraud
10 exception, and also because he had stated
11 that he felt that the tobacco industry and
12 CTR was basically a fraud, they very
13 reluctantly removed him from the case,
14 saying that he was an excellent jurist, but
15 just for the appearance of impropriety. But
16 certainly on the merits, there was never a
17 reversal as to anything in that case in
18 terms of the documents, and his criteria
19 for the attorney fraud - attorney-client
20 exception where there is fraud.
21 So I just wanted the record to be
22 straight on that.
23 MR. LONG: I think the record will
24 be straighter if people will just simply
25 read the Third Circuit's opinion, regardless

Page 203

1
2 MS. ROSENBLATT: Well, the deponent
3 is also on the Board of Directors on the
4 Council of Tobacco Research, and is at
5 Lorillard, and I beg to differ that he can
6 hide behind the attorney-client privilege
7 with a basic question such as that.
8 Obviously, you can instruct him
9 however you like, but that is our position
10 and that is your position.
11 MR. LONG: That is right. I
12 understand your position, but I object to
13 your characterization of hiding behind
14 things, and again because he is Senior
15 Vice President, it does not add anything to
16 his title of General Counsel.
17 Vice President, General Counsel deals
18 with legal.
19 BY MR. ROSENBLATT:
20 Q Was the Special Projects category in
21 existence when you joined Lorillard in 1969?
22 A Yes.
23 Q Do you know how long it had been in
24 existence prior to that time?
25 A That information came to me in my

Page 202

1
2 of your interpretation and my
3 interpretation; it says what it says.
4 Back to what I was saying earlier,
5 your question assumes facts not in evidence.
6 You are again seeking to get legal opinions
7 from the General Counsel of a Defendant.
8 And it's very nice for you to pose a
9 question and give him a great opportunity
10 for him to come in and waive a privilege.
11 If he were to answer, his answer might
12 be, yes, it might be, no. It might be a
13 number of things. But the fact of the
14 matter, for purposes of protection of the
15 attorney-client privilege and work product,
16 I have to instruct him not to answer.
17 You can view that as foregoing an
18 opportunity to set the record straight, or
19 I can see it as foregoing an opportunity to
20 waive a privilege. That is just the way it
21 is.
22 We can keep up with this line of
23 questioning so that you get nice little
24 statements that look good somewhere else,
25 but we are not going to allow -

Page 204

1
2 capacity as General Counsel.
3 Q Do you know whose idea it was, the
4 Special -
5 A That information came to me in my
6 capacity as General Counsel.
7 Q Do you think it's a coincidence that
8 only attorneys are involved with the Special
9 Projects Division?
10 A My information about Special Projects
11 is gained in my capacity as General Counsel.
12 Q Wasn't the Special Projects category
13 specifically devised and designed to keep
14 everything a big secret that could in any way
15 negatively impact the tobacco industry on the issue
16 of smoking and health?
17 MR. LONG: I am going to object to
18 the question. And, you know, we are getting
19 into this thing where you are well aware,
20 he has stated repeatedly that his knowledge
21 concerning Special Projects, other than
22 its existence, comes from his capacity as
23 General Counsel, and you are sitting here
24 trying to put on the record some loaded, did
25 you beat your wife question, which you know

682705687

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(52)

Page 205

1
2 I am not going to allow him to answer, but
3 I am not going to let the privilege be
4 waived.
5 And you can keep doing that, but he is
6 not going to answer the question. And you
7 can keep going on with the did you beat
8 your wife questions as long as you want,
9 but we are not going to waive that, and we
10 are not going to take a chance on waiver,
11 period.
12 BY MR. ROSENBLATT:
13 Q In the Wall Street Journal article
14 that we both talked about today, the date of which
15 is February 11, 1993, the front page article in the
16 Wall Street Journal states as follows: "For almost
17 four decades the Council for Tobacco Research in
18 New York City has been the hub of a massive effort
19 to cast doubt on the links between smoking and
20 disease," end quote. Isn't that true?
21 And I am asking you that in your
22 capacity as Senior Vice President and on the Board
23 of Directors of the Council for Tobacco Research.
24 MR. LONG: Is that true what
25 the article says or is that - I don't

Page 206

1
2 understand. No, you are -
3 Q Is the statement true?
4 A Is the statement true?
5 Q The substance of the statement, is it
6 true?
7 A No, it's not.
8 Q Then why, as a member of the Board of
9 Directors of the Council for Tobacco Research,
10 didn't you call the - the two reporters who wrote
11 the article, or the editor of the Wall Street
12 Journal, and tell them why a front page article in
13 a prestigious American newspaper was filled with
14 lies?
15 A For all the reasons that I testified
16 to earlier.
17 Q What, specifically, about that
18 statement is not true?
19 A None of it is true.
20 Q You have told me throughout this
21 deposition that causation has not been proven.
22 That is the essential position of the Council for
23 Tobacco Research, the essential position of the
24 tobacco industry, in spite of the Surgeon General,
25 the EPA, every federal, every major state

Page 207

1
2 organization, the American Heart Association, the
3 American Lung Association, the American Cancer
4 Society.
5 Doesn't that - doesn't that position
6 equate perfectly that for four decades the Council
7 for Tobacco Research has been the hub of a massive
8 effort to cast doubt on the links between smoking
9 and disease?
10 That is what you have done throughout
11 this deposition, isn't it?
12 MR. LONG: I object to the
13 question as being vague, compound,
14 extremely argumentative, and it also
15 mischaracterizes his testimony.
16 Q I just want to know, I want to try to
17 understand in a non-technical sense, just as a man
18 making big money in the tobacco industry, how you
19 can read a statement from a respected federal Judge
20 which says in his Haines opinion, as the following
21 facts disclose, despite some rising pretenders,
22 "The tobacco industry," your industry, "may be the
23 king of concealment and disinformation."
24 How can you read an opinion like this,
25 how can you read a Wall Street Journal article like

Page 208

1
2 this, and how can you, as an industry, and how can
3 you as a Senior Vice President, and how can you,
4 being on the Board of Directors of the Council for
5 Tobacco Research, not take a stand and explain to
6 the American public, the people that are puffing
7 your product and getting sick puffing your product,
8 and tell us why this is not true?
9 MR. LONG: I object to the
10 question. It's vague, it's compound. It
11 includes references to a legal opinion.
12 You are asking him to comment as
13 Vice President. Again, he is Vice President
14 regarding legal. And when you are asking
15 him that, you are asking for a legal opinion
16 on matters in a litigation.
17 It's just inappropriate, and he is not
18 going to answer the question.
19 Q How, as the Director, a member of the
20 Board of Directors of the Council for Tobacco
21 Research, in that capacity alone, how can you not
22 respond to an article in the Wall Street Journal
23 and other statements which basically say that you
24 people in the tobacco industry are a bunch of lying
25 frauds who don't care, who don't care how many

682705688

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(53)

Page 209

1
2 deaths you cause of your fellow Americans?
3 A I reject your last statement, and I
4 testified earlier that I did not accept the premise
5 on which the Wall Street Journal article was
6 predicated, which was Judge Sarokin's opinion.
7 That I rejected Judge Sarokin's
8 opinion as being incorrect on the facts and,
9 therefore, I did not think it appropriate to
10 respond.
11 I made that judgment as a CTR
12 Director, and my opinions as to the Sarokin opinion
13 were formed as General Counsel.
14 Q But when I ask you to explain why the
15 facts are wrong, you say it's privileged.
16 MR. LONG: I say it's privileged.
17 Obviously, it's privileged if he is acting
18 as General Counsel in that very litigation.
19 Facts that come to his knowledge as a
20 result of that litigation as an attorney,
21 if that is not privileged, I don't know
22 what is.
23 Q And it's your understanding that this
24 Wall Street Journal article that we have been
25 talking about on the Council for Tobacco Research

Page 210

1
2 is predicated solely and exclusively upon the
3 Sarokin opinion?
4 A I said principally.
5 Q Principally.
6 MR. ROSENBLATT: Well, I have many,
7 many more questions, but obviously they fall
8 in the category of areas that you would be
9 instructing the witness not to answer, so
10 obviously -- and you have made your position
11 very clear on that.
12 So that will have to be revisited,
13 but in terms of what has been happening
14 during this deposition, in terms of your
15 instructions, at this point, I have no
16 further questions.
17 MR. LONG: Okay.
18 (Time noted: 2:35 p.m.)
19
20 ARTHUR J. STEVENS
21
22 Subscribed and sworn to
23 before me this day
24 of , 1993.
25
26 NOTARY PUBLIC

Page 211

1
2 December 3, 1993
3
4 INDEX
5 WITNESS EXAMINATION BY PAGE
6 Arthur J. Stevens Mr. Rosenblatt 6
7
8 *****
9
10 EXHIBITS
11 PLAINTIFFS' FOR ID.
12 Composite 1 Opinion, consisting of 128
13 39 pages, Judge Sarokin's
14 two orders, consisting of
15 three pages
16 2 Document entitled, 130
17 "CTR Special Projects"
18 3 Business card of the 142
19 witness
20
21 *****
22
23
24
25

Page 212

1
2 CERTIFICATE
3
4 STATE OF NEW YORK)
5) ss.:
6 COUNTY OF NEW YORK)
7 I, MARIA CARAMAZANA, a Stenotype Reporter
8 and Notary Public duly commissioned and
9 qualified in and for the County of New York,
10 State of New York, do hereby certify that
11 pursuant to Notice, there came before me
12 at the offices of Greenberg, Traurig, Hoffman,
13 Lipoff, Rosen & Quentel, P.A., 399 Park Avenue,
14 New York, New York 10022, on Friday, the
15 3rd day of December, 1993, at 9:40 a.m., the
16 following named person, to wit: ARTHUR J.
17 STEVENS, who was duly sworn to testify to the
18 truth and nothing but the truth to the best
19 of his knowledge touching and concerning the
20 matter in controversy in this cause; that the
21 said witness was thereupon examined upon his
22 oath and his examination reduced to writing
23 under my supervision; that the deposition is a
24 true record of the testimony given by the said
25 witness.

682705689

BSA

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

XMAX(54)

Page 213

1
2
3 I further certify that I am neither
4 attorney or counsel for, nor related to or
5 employed by, any of the parties to the action
6 in which this deposition is taken, and further,
7 that I am not a relative or employee of any
8 attorney or counsel employed by the parties
9 hereto or financially interested in the action.
10 IN WITNESS WHEREOF, I have hereunto set
11 my hand and inserted my notarial number this
12 9th day of December, 1993.
13
14 MARIA CARAMAZANA
15
16 Notary Public No. 4943730.
17 My commission expires 10/31/94.
18
19
20 * * * *
21
22
23
24
25

Basic Systems Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Look-See(1)

Look-See Concordance
Report

2,558 UNIQUE WORDS
386 NOISE WORDS
32,040 TOTAL WORDS

SINGLE FILE CONCORDANCE

CASE SENSITIVE

WORD RANGES @ BOTTOM
OF PAGE

- \$ -

\$125,000 (1) 84.9
\$250,000 (1) 85.12
\$26 (1) 81.12
\$290,000 (1) 142.2

- 0 -

068445 (1) 1.6

- 1 -

1 (3) 6:16; 128.9; 211.12
1,500 (6) 85.25; 86.9, 10, 19, 25;
179.6
1.6 (1) 82.15
1.7 (1) 82.15
10 (2) 104.2; 125.22
10,000 (6) 140.9, 11, 12, 21, 23;
141.4
10/31/94 (1) 213.17
100 (13) 3.24; 29.18; 64.7; 98.23;
137.14, 15, 16, 19, 23; 138.24,
25; 140.8
10016 (1) 6.17
10016-8895 (1) 4.12
10020 (1) 4.6
10021 (2) 6.6, 20
10022 (4) 1.18; 2.19, 23; 212.14
10038 (1) 3.5
11 (1) 205.15
11TH (1) 1.2
12 (1) 105.2
120 (1) 85.8
1200 (1) 2.13
1201 (1) 3.9
1270 (1) 4.5
128 (1) 211.12
12.35 (1) 150.10
12th (1) 2.6
130 (1) 211.14
14 (1) 152.13
14-month (1) 9.9
140 (1) 85.7
142 (1) 211.16
15 (3) 101.20; 104.2; 105.2
15,000 (1) 86.8
16 (2) 30.22; 34.10
17 (2) 10.15; 194.2
17th (1) 193.20
180 (1) 3.4
19 (2) 34.14, 21
191 (1) 3.20
1954 (2) 62.7; 66.13
1956 (1) 7.8
1959 (2) 7.12, 25

1960 (1) 6.25
1962 (2) 7.25; 8.18
1964 (2) 119.9; 182.19
1969 (10) 8.23; 10.25; 12.6;
38.18; 56.21; 60.5; 62.6; 185.3;
12; 203.21
1979 (5) 13.13; 15.16; 57.5, 7;
158.2
1980 (1) 183.4
1985 (1) 31.6
1990s (1) 121.2
1992 (2) 67.11; 187.11
1993 (9) 1.19; 29.7; 85.12; 142.2;
205.15; 210.22; 211.2; 212.15;
213.12
1:15 (1) 150.15

- 2 -

2 (5) 15.21; 81.18; 130.14; 178.7;
211.14
20 (5) 53.25; 69.24; 85.9; 101.19;
137.17
20044 (1) 3.10
203 (2) 6.5, 19
22 (2) 1.5; 34.17
23 (5) 34.20; 35.3; 20; 36.11;
69.24
235 (1) 10.19
25 (6) 15.15; 103.10; 113.18;
133.24; 176.10; 188.17
2:35 (1) 210.18

- 3 -

3 (4) 1.19; 142.20; 211.2, 16
30 (9) 30.13; 32.20; 120.9, 22;
121.5, 8, 19, 21; 148.8
300 (1) 67.10
303 (1) 3.15
30303-1763 (1) 3.20
30308-3242 (1) 3.15
33130 (1) 2.6
33132 (1) 3.25
35 (1) 33.13
3500 (1) 3.14
36 (1) 33.11
39 (3) 128.2, 7; 211.12
399 (3) 1.17; 2.19; 212.13
3rd (1) 212.15

- 4 -

40 (7) 63.5; 184.22; 185.22;
191.2, 5, 7; 200.12
40-year-olds (2) 122.9, 19
42nd (1) 10.19
4943730 (1) 213.16

- 5 -

50s (3) 99.23; 121.2, 19
54 (1) 62.10

- 6 -

6 (1) 211.6
60s (3) 120.12; 121.2, 20
64105 (1) 2.14
65 (1) 10.8
66 (1) 2.5
69 (3) 13.14, 16; 57.8

- 7 -

71 (4) 13.16, 17, 22; 14.10
72nd (2) 6.5, 19
75 (2) 143.25; 144.10
7566 (1) 3.10
79 (6) 13.14, 18; 14.10, 13; 57.6,
9

- 8 -

80s (1) 137.9
82 (1) 100.5
875 (1) 2.22

- 9 -

900 (1) 29.7
90s (1) 144.16
91-49738 (1) 1.5
9:40 (2) 1.19; 212.15
9th (1) 213.12

- A -

a.m. (2) 1.19; 212.15
ability (2) 114.14; 146.5
able (5) 19.25; 63.2; 146.19;
147.5; 189.17
Abroad (1) 153.13
absence (1) 137.22
absent (1) 89.21
absolute (2) 134.11, 21
Absolutely (2) 126.9; 192.18
absolutely (4) 68.14; 89.12;
106.21; 169.11
abstract (2) 61.2; 67.14
abstracts (2) 67.8, 10
absurd (2) 36.2; 49.12
absurdity (1) 39.12
academic (1) 61.6
accept (4) 114.11; 139.13;
181.18; 209.4
accepted (2) 181.20; 189.19
accommodate (2) 28.11, 12
accommodation (3) 27.18; 28.7;
29.3
accommodations (1) 29.11
accompanied (1) 156.5
according (5) 40.17; 45.3; 65.4;
126.11; 177.23
accurate (3) 96.25; 140.18;
163.23
accused (1) 170.16
accusing (1) 174.2
achieved (1) 136.16
ACKER (1) 2.24
acquaintance (2) 146.23; 147.8
acquired (2) 59.25; 87.12
acquisition (1) 9.4
act (1) 84.15
acting (1) 209.17
action (4) 5.9; 93.12; 213.5, 9
actions (2) 28.10; 145.25
active (2) 98.2; 163.3
actively (1) 164.12
activities (12) 22.21; 24.17, 24;
52.21, 25; 53.22; 54.11; 56.23;
79.15; 114.21; 120.11; 121.2
activity (5) 25.6; 54.8; 80.13;
113.10; 132.16
actual (3) 13.20; 43.16; 68.13
add (2) 67.18; 203.15
addicted (1) 147.10
addiction (4) 146.6; 147.9, 16,
19
addictive (2) 148.2, 4
addition (5) 51.18; 61.19; 71.21;
122.3; 143.12
Additional (1) 14.6
additional (3) 13.25; 51.5; 71.24
address (5) 6.5, 15, 18; 10.17;
145.18
addressed (4) 136.14; 166.20,
21; 170.22
addressing (2) 145.16; 171.17
adequate (1) 28.9
administer (1) 5.13
administrative (3) 79.21; 83.21;
187.25
ads (2) 112.6; 117.20
adult (8) 33.14; 34.13, 23; 36.12;
101.15; 105.5; 122.17, 18
adults (1) 119.14
advantage (2) 114.23; 197.7
adversely (1) 164.19
advertise (5) 115.20; 117.2;
120.22; 124.12, 13
advertised (3) 116.9, 18; 117.22
advertisements (2) 117.15;
121.11
advertisers (1) 120.5
advertising (21) 105.13; 115.3,
14; 116.5; 117.11; 119.11, 13, 17;
120.6, 16, 19; 121.25; 122.6, 8,
13; 123.11, 14; 124.21, 23; 126.5,
10
advice (3) 34.3; 138.10; 197.14
advised (1) 25.17
Advisory (15) 68.2; 69.2; 150.25;
151.8, 13; 152.12; 154.3, 15;
155.6, 18; 170.12, 20; 171.8;
172.4, 16
affairs (8) 24.8, 11; 27.7; 53.19;
54.22; 55.2; 75.22; 93.7
affect (1) 126.17
affecting (1) 25.3
affiliated (2) 61.11; 113.16
affiliation (1) 151.18
afforded (1) 113.5
age (1) 140.25
agenda (1) 166.18
ages (1) 114.18
aggressively (2) 65.5, 12
Agostini (1) 9.17
agree (7) 110.20; 111.14; 119.4;
159.15; 172.3; 175.6; 184.12
AGREED (3) 5.5, 11, 17
agreed (3) 89.6; 120.13; 177.17
agreement (1) 89.22
agrees (1) 182.10
aid (1) 60.10
airline (1) 97.22
airlines (5) 96.14, 18; 97.3, 23;
98.17
aisle (2) 99.9
al (2) 1.7, 10
alcohol (2) 147.10; 148.2
alcoholism (3) 147.9, 18, 22
Alex (1) 71.2
ALEXANDER (1) 3.3
Alfred (1) 152.2
all-inclusive (1) 28.17

STERLING REPORTING SERVICE, INC.

(212) 267-4150

From \$125,000 to all-inclusive

682705691

Basic Systems Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Look, Sec 2

allow [6] 17:23; 41:2; 89:9;
120:18; 202:25; 205:2
allowed [1] 50:23
allowing [1] 50:9
alone [3] 98:6; 156:2; 208:21
amazes [1] 103:13
ambiguous [1] 86:6
America [1] 182:14
American [21] 71:23; 84:25;
118:19; 174:3; 181:16; 17; 182:8;
9; 186:2, 3; 194:19; 196:15;
198:13; 206:13; 207:2, 3; 208:6
Americans [2] 119:6; 209:2
Americas [1] 4:5
amongst [1] 65:11
amount [2] 68:18; 81:10
and-ANDERSON [1] 3:23
and-GREENBERG [1] 2:17
and-SUSAN [1] 2:8
Andrew [7] 15:19; 16:7; 39:21;
113:24; 175:24; 177:10; 179:2
Angeles [3] 26:20, 22; 27:20
animal [3] 135:19; 139:6; 189:15
announcement [1] 181:12
annual [5] 61:2; 67:7; 70:8; 81:6;
165:2
annum [1] 84:9
answer [98] 22:23, 25; 27:6, 10;
35:15; 36:3, 15, 23; 37:3, 13;
39:4; 41:2; 48:11; 50:9; 51:24;
62:22, 25; 63:7, 11, 15; 64:23, 24;
65:19; 72:14; 73:2; 74:7; 87:5;
89:10; 91:10, 12; 92:2, 20; 94:8;
114:10; 122:24; 124:5, 9; 127:17;
129:9;
130:2, 21; 131:10, 14, 20; 132:3,
10, 21; 133:12, 22; 134:12;
135:17; 136:8; 138:8; 139:23;
141:20; 145:19; 146:25; 147:25;
159:10; 160:25; 161:2; 164:10;
168:9; 169:16; 171:13; 172:7, 24;
174:25; 177:17; 180:12; 181:25;
184:21; 185:6; 186:20; 189:11;
191:3,
4, 14; 193:11, 16; 196:8, 23;
197:13; 198:4, 5, 10; 199:7, 8, 9;
202:11, 16; 205:2, 6; 208:18;
210:9
answered [2] 74:18; 104:19
answering [3] 22:6; 62:12;
132:20
answers [2] 38:25; 198:17
anti-tobacco [1] 113:10
anybody [5] 138:9; 147:2;
149:24, 25; 175:2
anywhere [2] 192:19; 200:8
apart [2] 54:4; 196:7
apparently [1] 138:19
appeal [8] 119:13, 20; 120:15,
19, 23; 122:18; 123:14
appeals [1] 123:7
appearance [1] 201:15
appeared [5] 88:10; 112:5;
117:15, 18; 170:15
appears [1] 67:14
application [1] 68:25
applications [2] 68:19; 80:4
appreciates [1] 175:2
appropriate [9] 18:15; 21:8; 22:9,
15, 18; 25:10; 28:8; 37:23; 209:9
approval [2] 80:17; 84:10

approved [1] 79:21
Approximately [2] 81:12; 194:2
approximately [2] 82:4; 152:14
area [15] 21:24; 48:6; 49:4;
54:25; 86:4; 92:21, 23; 104:10;
159:18; 161:7; 163:14; 178:10;
187:2; 188:2; 194:13
areas [4] 52:7; 54:7; 80:4; 210:8
arena [1] 27:8
argued [3] 95:10, 12, 22
argument [3] 27:19, 24; 41:4
argumentative [12] 114:8; 118:4;
123:2; 174:20; 186:7, 19; 195:25;
197:12, 17; 198:23; 200:6; 207:14
argumentative [1] 121:15
arguments [2] 95:8; 120:13
arises [1] 181:10
arm [2] 97:15, 16
Arnason [1] 154:21
arrangement [1] 187:20
array [1] 25:18
arrived [1] 59:3
ARTHUR [3] 1:14; 210:20;
212:16
Arthur [8] 6:11; 34:7; 35:9; 36:22;
55:19; 115:16; 116:24; 211:6
article [26] 88:10, 11, 17, 19;
90:3, 10, 15, 21; 110:15; 111:21;
149:22; 170:14; 171:4, 20, 21, 23;
174:2; 205:13, 15, 25; 206:11, 12;
207:25; 208:22; 209:5, 24
aside [1] 28:8
asking [65] 22:2, 5; 29:13; 35:11;
45:18, 19; 47:6; 48:4; 53:18;
68:20; 72:23; 75:16, 17; 83:11;
91:21; 92:3, 9, 11, 12, 22; 127:13,
19; 133:8; 134:2, 5, 8, 10, 14;
138:17; 139:22; 140:17, 19;
141:15, 19; 149:6; 159:8; 161:5,
6; 174:5; 176:15;
177:2, 4, 5; 178:21; 179:17, 25;
180:2, 13, 17, 21; 183:3; 184:4, 5,
14; 185:9; 190:14, 18; 193:12;
195:2, 5; 205:21; 208:12, 14, 15
asks [1] 112:9
aspect [2] 52:23; 83:19
aspects [1] 113:10
Assert [1] 23:5
assert [14] 18:14; 19:4; 20:17;
21:6, 24; 22:7; 37:4; 39:12, 24;
41:16; 42:17; 51:24; 71:12
asserted [3] 66:9; 89:9; 196:16
asserting [6] 40:10; 41:25; 94:23;
174:6; 175:20; 198:6
assessment [1] 189:17
assignments [1] 9:2
assist [1] 157:3
Assistant [4] 9:10; 104:5; 157:8,
15
associate [1] 53:15
Associated [1] 136:23
associated [9] 43:17; 58:19;
66:20; 114:17, 19, 20; 152:4, 24;
155:18
Associates [1] 136:22
associates [1] 43:15
Association [8] 181:16, 17;
182:9, 10; 186:3, 4; 207:2, 3
association [6] 43:5; 46:17;
134:16; 164:2; 166:13, 18
associations [4] 24:22; 25:8, 14;

166:24
assume [7] 36:4; 49:14; 68:19;
88:9; 129:8; 137:11; 139:22
assumes [1] 202:5
Assuming [1] 200:7
assuming [2] 145:9; 189:22
assumption [4] 24:3; 68:21;
76:3; 157:25
Atlanta [2] 3:15, 20
attack [6] 104:15, 16, 21, 24;
105:2; 106:8
attempt [2] 116:6, 10
attend [11] 57:9; 69:4, 5; 70:22;
72:5, 6; 73:13; 74:10; 81:8; 95:7;
146:21
Attendance [1] 70:7
attendance [3] 72:16, 18; 74:8
attendants [3] 145:7; 146:2, 3
attended [5] 39:11; 56:25; 57:13;
71:13; 74:12
attending [5] 40:3; 72:20; 82:23;
83:3, 8
attends [2] 71:7; 81:8
attention [4] 61:25; 62:19; 120:7;
170:18
attitude [4] 111:5, 6; 114:2; 190:9
Attorney [2] 2:5; 8:8
attorney [30] 6:21; 7:17, 19; 8:11,
16, 19; 9:7, 8; 23:18, 22, 23;
40:16, 19, 20, 23; 48:7; 53:15;
59:22; 60:2; 73:10; 74:25; 92:22;
94:10; 174:22; 180:17, 22;
201:19; 209:20; 213:4, 8
attorney-client [23] 17:20; 20:5;
21:7; 22:8; 39:13, 23; 41:14, 25;
42:12; 48:13; 89:8; 128:16;
129:24; 174:7, 21, 23; 175:21;
197:25; 198:6; 201:8, 19; 202:15;
203:6
Attorneys [7] 2:11, 21; 3:4, 9, 14,
19; 4:5
attorneys [5] 5:5; 19:12; 132:8;
176:6; 204:8
attract [1] 124:14
attributable [1] 135:22
attributed [1] 46:22
attribution [1] 46:9
August [1] 7:25
authoritative [1] 148:13
authority [2] 26:2; 84:7
authorized [1] 5:13
availability [1] 125:7
available [6] 12:2; 39:14; 45:10;
125:13, 25; 146:2
Ave [2] 156:15, 18
Avenue [8] 1:18; 2:19, 22; 3:9;
4:5, 12; 6:16; 212:13
avoid [1] 145:8
avoiding [1] 175:3
award-winning [1] 58:2
aware [10] 60:4; 68:5; 76:23;
117:15; 149:7; 165:14; 170:9;
173:11; 189:19; 204:19
awareness [4] 43:4; 56:24;
114:18; 151:20

- B -

background [17] 12:21; 17:6, 7,
15; 57:22; 58:7; 59:16, 21, 24;
111:16; 148:13; 151:2, 14;

161:20; 180:23; 190:16; 193:7
BACON [1] 2:11
Bacon [1] 93:17
ball [1] 63:3
Baltimore [1] 136:24
ban [10] 26:21; 28:17, 21; 29:5;
96:14, 17; 97:3, 17; 98:8, 16
banned [2] 28:22; 30:5
banning [2] 27:20; 29:15
bars [4] 27:25; 28:4; 29:18, 20
BAR [1] 1:6
Barry [2] 151:11; 154:20
Bartow [3] 95:15, 18, 24
based [14] 8:12; 10:7, 10; 47:12,
14; 55:13; 105:23; 116:2; 129:6;
135:19; 139:17; 179:21; 197:8, 14
basic [5] 47:3; 135:21; 175:18;
185:8; 203:7
Basically [1] 198:17
basically [9] 8:24; 37:13; 88:12;
92:5; 113:25; 131:13; 148:9;
201:12; 208:23
basing [1] 47:22
basis [20] 20:16; 25:13; 30:17,
18; 46:24; 47:2; 50:17; 82:22;
84:14; 85:4; 113:7; 138:10;
158:16; 163:2; 168:8; 186:4;
189:13, 16; 192:17; 193:3
beat [2] 204:25; 205:7
becoming [2] 13:21; 157:11
beg [1] 203:5
behalf [4] 24:23; 41:4; 95:12;
164:12
behind [3] 42:12; 203:6, 13
believe [20] 17:8; 57:5, 7; 68:22;
97:23; 107:21; 137:8; 139:8;
156:3; 159:19, 21; 160:7; 161:24;
162:2; 170:24; 173:13; 181:2;
187:2, 10
believes [1] 179:22
bench [1] 65:2
benefits [3] 105:16; 143:13, 15
Beth [3] 107:23, 24; 109:9
Beverage [1] 104:5
bill [1] 97:25
billion [1] 115:11
biochemistry [1] 66:25
biologist [2] 57:25; 162:16
biology [2] 66:25; 161:23
Biscayne [1] 3:24
bit [1] 87:11
black [1] 112:13
blank [1] 81:20
blatantly [1] 90:13
blending [1] 162:20
Bliley [1] 192:13
blocks [2] 69:24
blow [1] 137:17
Board [82] 39:6; 40:2; 42:24;
48:16; 51:11, 21; 53:3, 9; 56:10;
57:2, 4, 14; 68:2; 69:2; 70:7, 10,
12, 15, 16, 22; 71:10, 15; 72:7,
19; 73:3, 9, 15, 18; 74:3, 19; 75:4;
77:24; 80:10, 22; 82:3, 23; 83:4,
7, 10, 15, 24; 84:11, 15, 19, 20;
87:14,
24; 88:3, 20; 89:3, 5, 14, 21, 25;
90:17; 150:25; 151:9, 13; 152:12;
154:3, 15; 155:6, 18; 158:2;
167:12; 170:12, 20; 171:8, 18;
172:4, 16; 173:3; 199:10, 13, 17,

STERLING REPORTING SERVICE, INC.

(212) 267-4150

From allow to Board

682705692

Basic Synonym Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Lock-Sea/D

| | | | |
|---|---|---|--|
| 24; 200:3; 203:3; 205:22; 206:8; 208:4, 20 board [2] 39:25; 40:9 Bob [1] 110:12 bodies [1] 45:4 body [3] 43:14; 44:7, 9 bona [1] 171:5 bonds [1] 144:21 BONNER [1] 3:6 Bonner [1] 68:15 bonuses [1] 145:3 book [1] 148:11 borders [1] 39:12 boring [1] 75:11 born [1] 194:11 bother [1] 99:12 bothered [1] 99:15 Boulevard [1] 3:24 Bowden [1] 153:15 Bowls [1] 32:9 bowls [1] 32:12 Box [1] 3:10 brand [5] 117:22; 124:15; 125:7; 21, 22 brands [7] 31:25; 45:23; 46:3; 124:15, 18, 19, 21 break [4] 86:12, 14; 150:4; 191:18 Brennan [2] 153:2; 181:6 brief [1] 8:2 broad [1] 66:7 BROIN [1] 1:7 brother [7] 100:24, 25; 103:14, 22, 24; 104:11, 13 Brothers [1] 100:23 Brown [3] 3:19; 71:22; 84:25 BS [1] 180:10 budget [7] 80:17; 81:10; 82:7, 11; 83:17; 128:22; 154:10 Buffalo [1] 162:3 Building [1] 2:6 building [1] 28:18 buildings [3] 27:25; 28:23; 30:6 bunch [1] 208:24 burden [1] 41:25 BURLING [1] 3:8 Business [1] 211:16 business [27] 6:14; 9:8; 17:5; 20:21; 64:2, 10, 15, 16, 18; 70:12, 14; 85:10; 103:13; 104:9; 105:13, 16; 124:16; 142:14, 19; 160:10; 162:17; 167:20; 185:21, 22; 189:21; 194:23; 196:17 businessman [1] 190:2 | Cancer [5] 58:12; 181:17; 182:8; 186:2; 207:3 cancer [47] 46:7, 11, 16, 18; 47:4, 10; 55:16; 58:10, 13; 62:23; 63:12, 16, 17; 64:8; 65:7, 23, 25; 66:6, 10, 16, 20; 106:6, 15, 17; 117:6, 7; 133:3, 25; 134:12, 22; 135:2, 21; 137:18, 24; 138:3, 24, 25; 139:25; 140:12, 13, 23; 141:3, 5, 6; 181:21; 188:12; 189:6 capacities [1] 142:3 capacity [47] 8:10; 23:22, 23; 42:23; 48:10, 20; 56:2; 57:11, 12; 67:19, 22; 68:4; 74:13; 83:6, 9, 13; 85:22; 88:6, 8; 91:16; 95:11; 134:9; 142:4, 6; 143:8; 159:6; 161:4, 9; 172:13, 15, 20, 24; 173:2, 21; 175:15; 178:19; 184:15, 18; 196:11; 198:2; 199:6; 204:2, 6, 11, 22; 205:22; 208:21 Cape [1] 104:10 car [1] 143:19 CARAMAZANA [2] 212:7; 213:14 Caramazana [2] 1:20; 6:4 card [6] 142:8, 12, 14, 19, 23; 211:16 care [7] 29:21; 30:3; 67:7; 190:7, 8; 208:25 career [2] 7:13; 23:18 Carolina [2] 160:15, 16 carried [1] 51:5 carries [2] 52:11; 53:12 cartoon [2] 123:14, 17 CASE [1] 1:5 case [32] 40:17, 22; 41:14, 23; 48:8; 55:6; 73:22; 89:19; 91:18; 92:13, 15, 25; 93:4, 10, 14; 94:3, 11, 20; 95:5; 96:5; 127:10; 132:11, 17; 142:16; 168:2; 169:9; 170:17; 183:19; 189:25; 193:4; 201:13, 17 cases [4] 19:13; 50:22; 94:23; 183:24 cast [3] 72:9; 205:19; 207:8 categories [1] 17:20 category [6] 178:8; 195:22; 198:21; 203:20; 204:12; 210:8 caught [1] 176:16 causal [3] 47:23; 135:21; 136:17 causation [8] 47:16; 55:16; 63:16; 134:20; 135:9; 137:11; 182:13; 206:21 caused [2] 134:25; 139:25 ceased [2] 120:12; 187:16 celebrities [3] 120:20; 121:12; 148:10 celebrity [3] 119:19; 121:7, 20 cell [1] 66:25 Center [2] 3:14; 185:25 Central [5] 7:18, 23; 8:5; 9:16; 10:6 century [1] 195:10 CEO [3] 72:17; 73:23; 74:6 CEOs [3] 72:4, 9, 20 certainty [1] 155:12 certification [1] 5:18 certify [2] 212:10; 213:3 chain [3] 15:20; 16:2, 5 | Chairman [7] 11:13; 15:22; 16:13, 24; 83:23; 150:24; 151:12 chairs [1] 78:3 chance [3] 20:6; 177:12; 205:10 change [2] 72:17; 121:25 changed [3] 53:22; 60:14; 95:22 changing [1] 72:8 chapter [2] 182:17; 185:4 characterization [2] 171:4; 203:13 characterize [3] 49:2; 99:17; 163:23 characters [1] 123:17 charge [1] 193:9 charitable [1] 110:23 Charles [1] 59:5 chart [2] 15:23; 16:13 charter [1] 62:9 chemist [8] 159:20, 22; 162:5, 11, 14, 16, 18, 20 chemistry [6] 17:8; 161:22, 23, 24; 162:7, 12 CHERRY [1] 4:10 Cherry [2] 14:20; 93:24 Chesterfields [1] 117:3 Chief [10] 11:13; 57:13; 72:13; 74:21; 76:2; 156:9; 178:24; 179:3, 11; 181:3 chief [3] 65:15; 73:4; 97:15 child [1] 100:7 children [9] 29:22; 33:12; 105:7, 10; 119:7, 14; 120:24; 123:15, 18 choice [1] 144:24 choose [2] 75:18; 125:8 chose [1] 75:20 cigar [4] 32:23, 24; 107:13 cigarette [54] 30:15, 16; 43:6, 15, 18; 46:10, 16; 47:9; 62:14, 22; 63:12; 64:8; 65:6; 66:5, 10, 13, 20; 72:2; 73:9; 74:5; 99:12; 112:6; 114:19; 116:5; 120:9; 123:11; 133:24; 134:11, 16, 22, 25; 136:8; 137:17, 20, 22; 138:2; 139:2; 140:2, 22; 141:2, 6; 167:22; 181:20; 184:24; 185:13; 189:5, 18; 190:6; 194:24; 195:9, 11, 14, 16 cigarettes [19] 63:23; 94:24; 107:15; 114:13, 17; 115:21; 116:9, 18; 117:11; 119:17; 125:24; 126:7, 8; 133:4; 135:22; 182:5; 194:18, 19; 195:17 Cipollone [4] 94:13; 95:5, 8; 183:19 CIRCUIT [2] 1:2 Circuit [3] 200:13, 23; 201:25 circulatory [1] 66:24 cited [1] 182:19 Citicorp [1] 108:4 City [8] 2:13, 14; 7:3, 18; 8:13; 10:11; 31:4; 205:18 city [2] 95:23; 105:25 claim [1] 52:6 claiming [1] 133:3 Clarence [1] 57:21 clarify [1] 167:20 Clark [1] 119:25 clear [7] 24:5; 33:18; 65:8; 156:17; 157:9; 200:22; 210:11 cleavage [1] 24:5 client [4] 22:6; 129:12; 159:12; | 186:18 cloak [2] 51:19; 89:17 closer [3] 34:16; 62:12, 15 Club [1] 32:3 CO [1] 1:14 Co [1] 2:12 Coble [1] 192:9 Cod [1] 104:10 coincidence [2] 33:17; 204:7 Coincidental [1] 31:20 Coincidentally [1] 31:16 College [1] 7:3 college [1] 7:2 colloquy [1] 167:18 column [2] 110:12, 21 comfortable [1] 77:18 coming [2] 56:20; 91:14 command [3] 15:20; 16:3, 5 commencing [1] 1:19 comment [9] 92:22; 127:15; 130:11; 167:2; 170:23; 190:12, 15, 18; 208:12 commentary [1] 171:25 comments [1] 171:23 commission [1] 213:17 commissioned [1] 212:8 committed [1] 117:12 Committee [4] 83:24, 25; 84:13, 22 committees [1] 25:11 common [1] 117:23 commonly [1] 116:4 communicate [4] 60:11, 12; 165:2, 20 communicated [2] 60:20; 188:18 communicates [1] 165:10 communication [9] 165:5, 6, 8, 23; 166:2; 168:3; 176:3, 14; 181:6 communications [4] 61:15; 164:3; 165:11; 186:17 communicator [1] 163:24 community [4] 61:16; 62:17, 19, 20 COMPANIES [1] 1:10 companies [8] 68:12; 71:18, 20; 72:3; 74:3, 20; 82:6; 98:20 Company [4] 112:7; 142:25; 143:10; 167:7 company [28] 15:14; 24:9, 16, 21; 54:23; 72:7; 73:4, 7, 9, 17; 74:5; 76:4; 93:5, 7, 12; 94:20; 96:16; 108:21; 112:9; 144:18; 156:4; 167:10; 175:19; 176:7, 9; 180:6; 188:20; 194:24 comparatives [1] 124:24 compared [3] 94:14, 16; 162:15 Compensation [3] 83:25; 84:13, 21 compensation [3] 84:2, 19; 85:12 competition [1] 124:16 compilation [2] 46:24; 47:4 complement [1] 72:24 complete [3] 29:5, 15; 39:18 Completely [1] 158:13 completely [2] 29:10; 165:17 complex [1] 63:17 complicate [1] 47:10 Composite [2] 128:9; 211:12 composite [1] 128:5 compound [2] 207:13; 208:10 |
|---|---|---|--|

- C -

CA [1] 1:5
calculation [2] 82:21; 115:8
calendar [1] 163:3
call [7] 83:18; 120:7; 145:14;
192:3, 7, 11; 206:10
calling [4] 141:10; 170:18;
174:20; 186:16
calls [18] 34:6; 35:12; 82:5;
97:13; 114:9; 118:5; 120:3; 123:2;
133:17; 135:13, 14; 167:2; 169:6;
172:20; 181:24; 189:10; 190:11;
197:22
Camel [2] 122:8, 12
Campbell [1] 84:23

STERLING REPORTING SERVICE, INC.

(212) 267-4150

From board to compound

682705693

Basic Systems Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Lock-Send4

compounded (1) 186:8
concealment (1) 207:23
concede (1) 197:16
conceivably (1) 139:11
conceive (4) 35:21, 25; 36:6; 138:12
concept (1) 137:11
conceptually (1) 185:10
concern (1) 99:19
concerned (1) 47:11
concerning (7) 38:19; 42:21; 86:25; 129:10; 177:3; 204:21; 212:19
concerns (1) 126:12
conclusion (4) 46:24; 109:14; 114:25; 138:14
conclusions (7) 55:13; 109:15; 22; 110:3; 165:3; 181:18; 189:19
conclusive (2) 136:7; 189:13
conclusory (1) 135:5
Concord (1) 2:6
condition (1) 185:17
conditions (2) 137:21; 140:24
conduct (6) 24:14, 22; 70:12; 93:6; 131:24; 175:13
conducted (2) 137:25; 176:11
confer (1) 129:12
conference (1) 181:12
conferences (1) 132:8
Conferring (1) 174:16
conferring (1) 174:17
confirm (1) 52:15
confuse (1) 114:14
confused (6) 44:19, 23; 80:8; 141:17, 18; 157:6
confusing (4) 44:6, 12, 13, 16
congnizance (1) 56:23
Congress (8) 25:2, 12; 112:18; 183:7; 191:22; 192:2, 11, 15
Congressman (1) 192:6
conjecture (3) 35:13; 36:18; 138:7
connected (1) 58:16
Connecticut (1) 10:2
connection (20) 25:14; 31:7, 10; 56:7; 58:22; 65:2; 67:19; 82:2; 83:5, 11; 96:13, 23; 98:8; 113:7; 132:17; 136:17; 154:10; 172:23; 187:17; 200:9
conscience (1) 188:10
consequences (1) 40:5
consider (2) 91:2; 148:12
considerable (1) 43:14
considerably (4) 82:22; 100:15; 104:23; 119:9
consideration (4) 80:17; 84:15; 89:13; 90:22
considered (4) 26:22; 121:3; 132:9; 201:4
considering (2) 25:3; 113:22
considers (1) 197:24
consist (1) 79:13
consistent (1) 81:13
consisting (4) 128:7, 8; 211:12, 13
consists (3) 128:2, 3, 24
constant (1) 82:11
constituency (1) 166:21
consult (2) 138:9; 198:11
consultancy (1) 187:20
consultant (1) 188:6

consultantship (1) 187:24
consulted (1) 201:3
consumer (4) 111:8, 12; 125:21; 126:6
consumers (2) 114:12; 125:24
consumption (1) 147:24
contact (24) 9:23, 25; 11:15, 16, 20; 16:18, 21; 69:14; 98:11; 153:25; 154:4, 8; 158:15, 22; 159:2, 3; 160:11; 163:16; 181:9; 187:3, 5, 13, 18; 192:14
contacted (2) 11:18; 12:3
contained (2) 55:15; 109:16
contains (1) 67:8
content (1) 164:23
context (6) 87:21; 134:8; 149:19; 154:9; 170:7; 171:20
continue (3) 36:16; 124:19; 140:14
Continued (3) 3:2; 4:2; 150:21
continued (1) 189:20
continuing (2) 186:5; 191:11
contractor (1) 20:21
contrary (4) 47:5; 53:24; 109:15, 16
contrast (1) 125:6
contribution (1) 82:10
Control (1) 185:25
control (1) 79:5
controversy (3) 44:3, 4; 212:20
convene (1) 83:20
convention (1) 81:6
convention-type (1) 104:6
conversation (2) 35:21; 39:21
conversations (4) 35:16; 42:4; 87:3; 177:4
conveyance (1) 146:3
convince (2) 136:6; 141:5
convinced (6) 135:11; 136:7; 188:13; 189:5, 13, 17
convincing (1) 189:4
Cook (1) 57:21
cookies (1) 162:18
coordinate (1) 164:16
coordinated (2) 97:19; 166:19
copy (2) 78:21; 111:21
corner (1) 191:15
corporate (1) 9:5
Corporation (1) 144:11
correctly (2) 26:9; 115:23
correlate (1) 104:20
correspondence (1) 143:7
Council (55) 2:21; 18:10, 19; 20:25; 39:6; 40:3; 42:24; 48:17; 49:19; 51:11, 22; 53:4; 56:10, 19, 24, 25; 60:25; 61:8; 62:3; 69:3, 6, 19; 70:8, 13, 15; 71:16, 18; 76:5; 78:8; 79:15; 88:13, 14; 91:5; 109:13, 20; 131:22; 132:24; 136:10, 13; 137:5; 164:25; 169:6, 20; 184:23; 187:7; 198:20; 203:4; 205:17, 23; 206:9, 22; 207:6; 208:4, 20; 209:25
Counsel (131) 2:9, 16, 25; 3:7, 12, 17, 22; 4:11; 8:7; 9:11; 11:10; 12:7, 8, 11, 25; 13:5, 8, 10, 15, 17, 18, 19; 14:5, 10; 17:17, 18, 19; 18:2, 4; 19:11, 16, 25; 20:3, 9; 21:17; 22:20, 21, 22, 25; 23:2; 24:2, 3, 7; 27:9; 38:16, 23; 39:3;

40:7; 41:7, 12; 48:3, 5; 49:11, 24; 50:3, 13, 19, 21; 51:2, 7, 18; 52:5, 13; 54:5, 16; 55:5, 21; 56:2, 8; 57:12; 67:20; 68:5; 74:17; 86:5; 87:13; 91:8, 15, 16; 92:13; 93:8; 95:11; 124:2, 5; 127:19; 129:23; 132:18; 133:8; 134:5, 9; 142:6, 11; 145:16, 18, 19; 159:6; 160:25; 161:4, 9; 168:18; 170:3; 171:15; 172:7, 14, 24; 173:21; 175:16; 176:4, 18, 22, 25; 177:2; 178:20; 184:16; 194:23; 195:3, 6; 196:8, 12; 197:23; 198:3, 12; 199:21; 202:7; 203:16, 17; 204:2, 6, 11, 23; 209:13, 18
counsel (18) 9:3; 50:10; 71:11; 87:3; 92:17; 93:8, 9, 13; 129:17; 130:9, 11; 142:14; 174:14; 193:14, 15; 197:8; 213:4, 8
COUNTY (2) 1:3; 212:5
County (3) 194:6, 12; 212:9
couple (6) 13:3; 69:17; 101:25; 102:2; 150:4; 181:14
course (4) 38:18; 93:15; 146:21; 190:25
COURT (1) 1:2
Court (4) 5:15; 18:5; 20:11; 95:7
court (3) 78:15; 90:25; 177:13
cover (1) 52:24
covered (1) 25:20
COVINGTON (1) 3:8
creating (1) 185:22
credentials (2) 151:18; 161:19
credible (1) 171:6
criteria (2) 140:3; 201:18
crystal (1) 63:3
CTR (126) 17:14; 19:10, 17; 21:13, 15; 40:14; 41:9; 49:10; 50:14, 17; 52:6, 16; 55:2; 56:24; 57:4, 15, 19, 20; 59:18; 60:6; 61:23; 62:20; 64:22; 65:4, 8, 15, 18, 22; 66:5, 8, 12, 23; 67:17, 22, 25; 68:9; 70:2, 23; 72:19; 73:3; 74:21; 80:12; 81:4, 7, 11, 18; 82:6; 83:4, 5, 11, 12, 19, 24; 84:3; 85:18, 21; 86:20; 87:7, 9, 11, 15, 23; 88:3, 18, 20, 25; 89:3, 6, 14; 90:15, 17; 109:25; 128:19; 130:13, 20; 131:9; 150:25; 151:13; 153:21, 23; 154:5, 11; 157:8; 165:9, 13, 16; 166:2, 7; 170:13, 16, 20; 171:5, 24; 172:2, 11, 13, 21; 173:9, 16, 19; 174:2; 178:13; 179:7; 180:19; 185:3, 5, 12, 21; 187:17, 18, 20; 191:2, 9; 199:6, 11, 14, 18, 20, 25; 201:12; 209:11; 211:15
CTR-funded (1) 65:3
CTR-related (1) 85:10
current (2) 68:6; 73:14
currently (1) 125:3
customers (3) 114:12; 124:17; 125:7
cut (1) 34:22
cut-off (1) 34:18

- D -

De-fach (1) 109:12
D.C. (2) 3:10; 95:24

Daddy (2) 35:4; 36:14
DADE (1) 1:3
Daily (1) 158:17
daily (1) 158:18
damn (2) 190:24, 25
dangerous (4) 44:8; 126:8; 145:10; 167:22
data (2) 128:23; 134:15
date (5) 128:10; 130:15; 132:12; 142:21; 205:14
daughter (8) 34:19; 35:3, 20; 36:9; 38:4, 6; 107:23; 108:12
daughters (4) 33:14, 25; 107:22; 109:7
David (1) 111:25
Dawson (1) 181:6
DAY (1) 3:13
day (12) 19:7; 32:6, 12, 16; 100:16; 110:10; 137:17; 158:19; 210:22; 212:15; 213:12
day-to-day (3) 20:16; 93:9, 24
days (6) 85:4, 7; 113:5; 144:14; 158:19; 186:22
deal (16) 43:22; 62:18; 123:8; 147:21; 159:21; 162:23, 24, 25; 163:4, 6, 7, 8, 11; 165:24; 166:17; 176:21
Dealing (1) 26:18
dealing (1) 89:10
dealings (2) 56:18, 22
deals (5) 22:18; 40:6; 84:2; 176:22; 203:17
dealt (1) 171:23
deaths (1) 209:2
debate (2) 186:11, 13
DEBEVOISE (1) 2:21
decade (2) 115:4, 5
decades (2) 205:17; 207:6
deceased (1) 9:14
December (8) 1:19; 79:19; 80:8, 16, 19; 211:2; 212:15; 213:12
decides (1) 68:17
deciding (1) 25:10
decision (14) 11:7; 26:7; 34:24; 36:12; 68:24; 75:24; 88:22; 89:2; 146:19; 156:24; 157:22; 158:4; 167:17; 200:12
decisions (1) 84:14
defeat (1) 97:17
defeated (1) 98:8
Defendant (13) 2:21; 3:4, 9, 14, 19; 4:5; 55:5; 92:13; 93:2, 5; 95:2; 133:9; 202:7
DEFENDANTS (1) 1:13
Defendants (3) 1:11; 2:11; 132:14
defending (1) 93:14
definition (1) 98:14
definitive (3) 63:11; 64:23; 65:20
degree (3) 7:14, 15; 155:11
degrees (1) 155:10
Deisch (1) 109:11
delegated (1) 84:4
delighted (1) 96:10
delivered (1) 110:9
delivers (1) 126:4
demand (1) 122:6
demonstrate (3) 47:3; 136:17; 182:20
demonstrated (6) 47:15; 125:25; 135:4, 20; 136:4; 137:24

Basic Systems Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Lexis-Scan

| | | | |
|--|---|---|--|
| demonstrates (1) 134:19 | 156:23; 157:21; 158:3; 168:3 | doctor (8) 17:7; 45:12; 58:20; 69:9; 10; 109:2; 146:21; 151:2 | 103:22; 105:4; 107:24; 213:5, 8 |
| deny (1) 116:20 | directed (1) 66:8 | doctors (3) 45:15; 182:24; 183:6 | employee (6) 19:16; 142:5; |
| Department (1) 8:10 | Director (44) 18:10, 19; 19:10, 17; 20:25; 21:13, 15; 40:14; | Document (1) 211:14 | 143:8, 15; 188:3; 213:7 |
| depend (1) 25:23 | 41:10; 49:10, 19; 50:15, 18; 52:6, 16; 53:3; 59:10, 13; 67:22; 73:3, 9; 74:19; 77:24; 83:13, 20; 85:21; 87:10; 131:2; 153:21, 22; 157:5, 8, 9, 12, 15, 17, 23, 24; 172:21; 173:15; | document (4) 128:19; 129:10; 130:3, 13 | employees (3) 188:21, 22, 23 |
| Depending (1) 156:14 | 199:6; 200:3; 208:19; 209:12 | documents (12) 86:2, 8, 10, 19, 25; 128:15; 179:6; 180:4, 7; 200:24; 201:3, 18 | employer (1) 105:19 |
| depending (1) 156:12 | director (3) 17:14; 73:5; 81:21 | Doesn't (1) 207:5 | employment (3) 7:16; 17:16; 20:15 |
| depends (4) 99:6; 162:25; 163:2, 12 | Directors (54) 39:6; 40:2; 42:24; 48:17; 51:11, 21; 53:3, 9; 56:10; 57:2, 4, 14; 70:7, 11, 17, 22; 71:10, 16; 72:8, 19; 73:15, 19; 74:4; 75:4; 80:23; 82:7, 24; 83:4, 7, 10, 24; 84:11; 87:15, 24; 88:3, 20; 89:3, 6, 15, 21; 90:18; 158:2; 167:12; | doesn't (13) 51:23; 75:2, 17; 113:3; 117:23; 118:24; 131:12; 135:7; 140:3; 143:3; 161:12; 171:14; 207:5 | enacted (1) 26:22 |
| deponent (5) 21:3, 11; 39:17; 203:2 | 57:2, 4, 14; 70:7, 11, 17, 22; 71:10, 16; 72:8, 19; 73:15, 19; 74:4; 75:4; 80:23; 82:7, 24; 83:4, 7, 10, 24; 84:11; 87:15, 24; 88:3, 20; 89:3, 6, 15, 21; 90:18; 158:2; 167:12; | dollars (2) 63:6; 115:9 | enclosed (1) 29:16 |
| depose (3) 19:12; 20:8; 176:5 | 171:18; 173:3; 199:11, 14, 17, 24; 203:3; 205:23; 206:9; 208:4, 20 | domain (1) 42:21 | encompass (1) 24:7 |
| deposed (1) 42:5 | disagreement (2) 90:24; 171:3 | domestic (1) 97:3 | end (4) 105:15; 112:14; 187:11; 205:20 |
| deposing (2) 18:25; 19:21 | disagrees (1) 45:13 | Don (1) 84:24 | ending (1) 102:18 |
| DEPOSITION (1) 1:13 | discern (1) 72:12 | Donaldson (1) 108:9 | endorsement (1) 119:19 |
| deposition (27) 5:11, 18; 17:13; 18:4, 8, 22; 21:20; 22:14; 23:2; 39:19; 40:16, 23; 50:4; 52:2; 96:4; 127:22; 129:8; 132:12; 133:13; 159:17; 176:13; 190:13; 206:21; 207:11; 210:14; 212:23; 213:6 | discipline (3) 57:24; 151:18; 152:20 | door (1) 196:24 | endorsements (3) 121:7, 20, 22 |
| depositions (1) 50:23 | disclose (1) 207:21 | doorstep (1) 110:9 | engage (11) 36:24; 89:15; 91:24; 114:21; 118:22; 120:17; 132:16; 139:5; 164:17; 167:18; 168:22 |
| Deputy (1) 4:11 | discoverable (1) 49:23 | double (2) 141:12; 198:18 | engaged (4) 96:20; 104:3; 105:15; 157:14 |
| derive (1) 195:16 | discovery (1) 176:12 | doubt (4) 16:13; 185:22; 205:19; 207:8 | engagements (1) 98:21 |
| describe (6) 16:2; 29:9; 100:14; 101:22; 124:8; 162:8 | discuss (8) 19:7; 79:11; 89:7, 22; 159:3; 169:3, 19 | Dr (69) 16:4, 8, 10, 18, 23; 17:6; 58:5, 9, 15; 59:4, 9, 13; 69:8; 71:2; 73:13, 23; 75:8, 14; 78:4; 79:14; 81:19, 25; 82:5, 9; 83:18; 84:5, 7; 85:3, 11, 13; 150:22, 24; 151:4, 11, 23, 24; 152:2, 17; 153:2, 8, 10, 13, 15, 17, 19; 154:8, 12, 20, 23, 25; 155:2, 22; 156:4, 25; 157:4; 158:12, 15; 159:2, 18; 161:10; 177:6; 178:6, 8, 9, 23; 181:3; 186:10, 12 | engages (1) 124:24 |
| described (8) 26:16; 94:15; 138:13; 140:4; 154:7; 160:3; 162:4; 189:14 | discussed (9) 79:9; 87:16; 88:20; 89:3, 21; 159:9; 179:18; 180:14, 16 | draw (1) 138:14 | enhanced (1) 15:12 |
| describing (1) 112:8 | discussing (1) 89:16 | drawing (1) 81:20 | enhancement (1) 10:21 |
| description (1) 128:21 | discussion (16) 40:4; 43:22; 79:22; 80:3; 87:23; 89:13; 92:8, 17; 100:9, 12; 121:16; 129:14; 133:19; 150:7; 172:9; 174:11 | drawn (1) 26:6 | enjoy (2) 30:21; 31:21 |
| deserve (1) 114:5 | discussions (3) 92:18; 96:20; 123:5 | drink (3) 147:11, 13, 15 | enjoyed (1) 30:23 |
| deserved (1) 90:16 | Disease (1) 185:25 | Drummond (1) 153:15 | enjoying (1) 31:15 |
| design (1) 76:22 | disease (25) 46:11, 18; 47:10; 55:17; 62:14; 63:13; 64:9; 65:7; 66:6, 11, 14, 16, 21, 23; 134:12; 136:9; 181:21; 184:25; 185:14, 16, 17; 190:6; 205:20; 207:9 | DUKE (1) 3:11 | enjoyment (1) 127:2 |
| designate (1) 21:9 | diseases (12) 43:16, 17; 46:13; 64:9; 65:7; 66:7, 9, 18, 19; 67:2; 134:17; 181:22 | duly (4) 6:3; 150:17; 212:8, 17 | enjoys (1) 44:25 |
| designated (3) 18:9; 21:19; 76:15 | disgruntled (1) 113:3 | dumb (2) 37:15; 114:3 | ensuing (1) 79:16 |
| designation (1) 51:5 | disgusting (1) 174:3 | duties (6) 8:6; 13:21; 14:4; 52:12; 85:6, 7 | entered (1) 68:15 |
| designed (2) 120:7; 204:13 | disinformation (2) 170:19; 207:23 | - E - | entities (1) 144:9 |
| designee (1) 58:2 | disparity (1) 44:19 | early (2) 99:23; 137:8 | entitled (4) 18:13; 50:20; 130:13; 211:14 |
| desirable (1) 28:7 | disputing (1) 165:19 | East (3) 6:5, 19; 10:19 | entity (1) 58:14 |
| desire (1) 167:17 | disseminated (1) 61:5 | easy (1) 195:4 | enumerated (1) 66:18 |
| desires (1) 99:8 | dissimilar (1) 84:19 | editor (1) 206:11 | enunciated (1) 110:5 |
| despite (1) 207:21 | distaste (2) 121:10, 17 | education (1) 161:21 | environmental (1) 146:4 |
| detailed (3) 76:7, 12; 80:15 | distinct (1) 102:8 | educational (1) 17:7 | EPA (4) 145:10; 167:3; 184:9; 206:25 |
| details (3) 12:20; 13:24; 187:21 | distinguish (1) 51:15 | effect (1) 5:14 | epidemiological (3) 134:15; 182:19, 20 |
| determination (2) 67:24; 68:13 | DIVISION (1) 1:4 | effective (1) 122:2 | equate (1) 207:6 |
| determine (2) 131:5, 17 | Division (20) 42:11; 87:6, 9, 16; 88:5, 7, 14; 91:5; 130:19; 131:25; 169:22, 24; 171:9; 172:5, 18; 173:7; 175:13; 179:7; 180:19; 204:9 | efficient (2) 166:20, 22 | equipped (1) 148:20 |
| determined (1) 130:17 | division (5) 9:3; 87:10; 173:10, 11; 175:19 | effort (2) 205:18; 207:8 | equity (1) 108:8 |
| detriment (1) 111:9 | divulging (1) 38:25 | efforts (2) 96:22; 98:22 | equivocation (1) 181:18 |
| detrimental (1) 113:22 | | eight (3) 101:5; 163:21, 22 | erroneous (1) 200:25 |
| developed (2) 140:23; 141:3 | | elected (1) 192:25 | ESQ (9) 2:7, 8, 15, 24; 3:6, 11, 16, 21; 4:10 |
| developing (1) 141:5 | | elects (1) 166:17 | Esq (2) 95:18, 24 |
| Development (3) 17:2; 160:8; 175:12 | | elements (1) 97:22 | ESQS (6) 2:21; 3:3, 8, 13, 19; 4:4 |
| development (4) 17:10; 73:6; 74:23; 178:10 | | emergency (1) 99:9 | essence (2) 43:23; 179:17 |
| devised (1) 204:13 | | Email (1) 9:17 | essential (2) 206:22, 23 |
| Di (4) 115:20; 116:13; 119:4, 25 | | emphasize (1) 61:19 | essentially (5) 8:5; 9:3; 60:17; 62:10; 84:2 |
| diagnosed (1) 106:17 | | Emphysema (1) 106:12 | established (4) 64:7; 184:24; 185:13, 15 |
| die (2) 107:10; 117:4 | | emphysema (6) 46:12, 18; 47:10; 55:18; 66:16; 181:21 | Estate (1) 8:10 |
| died (4) 99:23; 106:16; 117:6; 188:11 | | employed (8) 7:17, 19; 100:17; | estate (1) 9:5 |
| diet (1) 137:21 | | | et (2) 1:7, 10 |
| differ (1) 203:5 | | | Ethel (1) 102:24 |
| difference (2) 123:12; 138:25 | | | evaluates (1) 45:9 |
| difficult (5) 40:18, 24; 41:15; 52:3; 194:25 | | | everybody (4) 16:21; 127:11; 129:5; 147:20 |
| dignify (1) 92:7 | | | evidence (7) 97:18; 135:19; 136:6; 189:14; 200:7, 8; 202:5 |
| dime (1) 183:16 | | | Exactly (1) 94:17 |
| Dinkins (1) 192:21 | | | exactly (5) 55:23; 59:19; 96:13; 129:16; 157:10 |
| direct (7) 22:22; 25:13; 120:19; | | | EXAMINATION (3) 6:8; 150:20; 211:5 |

STERLING REPORTING SERVICE, INC.

(212) 267-4150

From demonstrates to EXAMINATION

682705695

Basic Systems Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Lexis-Nexis

examination [3] 55:24; 56:6;
212:22
examined [4] 5:12; 6:6; 150:18;
212:21
examining [1] 67:3
example [17] 15:11; 20:19;
24:10; 25:2; 26:13; 20; 28:20; 21;
29:3; 30:4; 99:8; 113:16; 115:14;
19; 117:18; 149:20; 186:11
Excellent [1] 106:5
excellent [1] 201:14
except [2] 5:7; 53:13
exception [4] 70:3; 159:5;
201:10, 20
excess [1] 147:13
Excluding [1] 179:10
exclusively [3] 90:11; 106:2;
210:2
excuse [4] 18:8; 33:13; 157:2;
171:2
Executive [11] 11:13; 14:23;
15:2; 23; 57:13; 72:13; 74:21;
76:2; 156:10; 178:24; 179:3
executive [9] 73:5; 111:22;
112:9, 11; 113:12; 156:6, 7;
178:17; 189:24
Executives [2] 179:11; 181:3
executives [4] 63:21; 71:17;
173:8, 18
Exhibit [3] 128:9; 130:14; 142:20
exhibit [3] 128:5; 130:7; 142:16
existed [4] 87:10; 132:5; 171:10;
199:18
existence [6] 129:22; 180:7, 20;
203:21, 24; 204:22
existing [1] 125:8
exists [2] 134:18; 200:3
expanded [2] 10:15; 54:22
expansion [1] 13:24
expect [1] 148:3
experience [8] 26:5; 49:7;
104:21; 116:2; 118:16; 159:22;
162:7; 168:18
experiment [5] 33:25; 137:25;
138:13, 21; 139:9
experimental [2] 30:17, 18
expert [11] 26:3; 35:12; 36:19;
132:14; 133:10; 139:5; 183:12,
18, 21, 25
Expertise [1] 160:2
expertise [3] 159:18, 21, 25
Experts [1] 133:2
experts [4] 44:14, 15; 132:23, 25
expires [1] 213:17
Explain [1] 84:6
explain [4] 169:2; 199:8; 208:5;
209:14
explains [1] 77:22
exposed [5] 137:19; 140:11, 22,
24; 145:11
exposure [2] 133:5; 145:8
express [2] 106:24; 107:3
expressed [7] 56:9, 16; 90:24;
149:17; 170:6, 8; 171:3
expresses [1] 111:6
expression [1] 122:5
expressions [1] 171:21
extend [1] 83:15
extended [1] 96:23
extends [2] 66:15, 17
extensively [1] 20:22

extent [10] 27:7, 16; 38:24;
90:19; 96:17; 114:7; 118:3; 131:8;
171:14; 173:18
external [7] 24:8, 11; 27:7; 53:19;
54:22; 55:2; 75:22
extremely [5] 63:17; 186:8;
194:21; 200:6; 207:14

- F -

faced [1] 41:3
facilitate [1] 50:3
facilities [5] 29:21, 22; 30:3;
104:6
fact [14] 20:4; 51:17; 53:6; 61:16;
64:8; 65:17; 68:4; 89:5; 90:9;
120:8; 137:12; 189:6; 202:13
factor [1] 146:4
factors [2] 139:8; 182:13
Facts [1] 209:19
facts [8] 36:19; 92:6; 139:21;
200:7; 202:5; 207:21; 209:8, 15
factual [2] 92:5; 94:7
fair [2] 28:16; 113:21
fairly [1] 81:13
fairness [1] 113:15
fall [2] 17:19; 210:7
familiar [5] 88:11; 115:13;
148:25; 149:4; 173:16
familiarity [3] 67:15; 115:17;
185:2
family [4] 149:2, 5, 16, 18
famous [1] 119:22
Farr [2] 95:18, 24
fashion [4] 26:15; 135:5; 139:15;
166:22
father [1] 99:23
father-in-law [1] 107:12
faulky [1] 90:20
feature [1] 61:15
February [1] 205:15
federal [5] 26:10, 17; 164:13;
206:25; 207:19
feel [8] 18:15; 19:3; 20:16; 21:7;
24; 22:8; 27:8; 30:21
feels [1] 76:3
Feldman [3] 150:23, 24; 151:4
fell [2] 96:19; 130:18
fellow [4] 99:10; 113:3; 132:14;
209:2
felt [3] 30:20; 169:23; 201:11
FERDON [1] 3:3
fertilizers [1] 162:17
fide [1] 171:5
field [1] 69:11
fight [2] 177:13, 14
figure [6] 45:2; 115:2; 116:8, 17;
180:23; 191:14
figured [1] 74:14
figures [8] 115:15, 16; 116:4;
117:10; 119:22, 23
file [7] 11:25; 20:9; 23:3; 50:16;
161:12
filed [1] 19:11
filing [1] 5:17
filled [2] 32:16; 206:13
filling [1] 32:8
financial [2] 87:22; 182:4
financially [2] 71:19; 213:9
find [4] 75:10; 110:20; 111:13;
148:16

finding [2] 200:23; 201:2
findings [3] 165:2, 15; 195:20
Fine [1] 36:5
fine [6] 34:8; 35:15; 36:23;
117:21; 122:23; 172:21
finish [1] 35:2
finite [1] 68:18
FINNEGAN [1] 4:4
fired [1] 12:17
firm [6] 13:4; 53:16; 93:16; 95:4,
19, 25
first [17] 6:3; 56:18; 57:18; 84:12;
85:23; 90:22; 96:7; 100:25;
137:16; 142:8; 147:11, 15;
157:14; 173:23; 182:18; 192:17;
193:3
firsthand [1] 172:9
firstly [1] 7:14
fiscal [3] 70:19; 79:21; 187:25
Five [1] 45:24
five [8] 21:18; 59:19; 64:21;
69:18; 81:14, 16; 82:12; 85:4
fixed [1] 108:3
FLA [1] 1:6
Flagler [1] 2:5
flight [2] 145:7; 146:2
flights [1] 145:8
Floor [1] 2:6
Flora [1] 193:18
FLORIDA [1] 1:3
Florida [8] 2:6; 3:25; 18:20; 21:9,
21; 37:3, 21; 41:18
fly [1] 99:3
focus [4] 65:15, 18; 66:4, 12
focuses [2] 66:23; 126:11
following [3] 82:8; 207:20;
212:16
follows [4] 6:7; 28:15; 150:19;
205:16
Food [1] 104:5
force [2] 5:14; 105:14
foregoing [2] 202:17, 19
forgive [1] 144:5
form [14] 5:7; 37:8, 22, 25; 38:2,
8; 40:25; 114:6; 131:16; 135:12;
138:4; 168:8; 169:15; 186:6
format [2] 60:3; 80:17
formed [5] 56:7; 62:4, 7; 197:18;
209:13
former [2] 112:4; 189:2
Formerly [3] 101:9, 10; 103:4
forms [1] 130:18
found [1] 200:24
foundation [2] 43:25; 123:24
Four [1] 59:19
four [6] 32:16; 69:17; 81:14, 16;
205:17; 207:6
frame [1] 7:23
frames [1] 7:22
frankly [1] 35:22
fraud [12] 88:15, 16; 90:16;
169:7, 11; 170:16; 174:3; 196:15;
201:9, 12, 19, 20
frauds [1] 208:25
frequently [12] 28:5; 61:13, 21;
69:16; 74:19; 80:7, 23; 119:18;
147:22; 160:19; 162:24; 163:11
Friday [2] 1:18; 212:14
friend [1] 106:15
friendly [1] 196:17
friends [1] 35:6

front [3] 77:23; 205:15; 206:12
frustrating [3] 52:2, 4, 8
full [2] 6:10; 117:19
full-time [2] 153:23; 188:3
fuller [1] 67:14
fully [1] 130:4
function [9] 60:18; 67:25; 70:18;
73:6; 74:22; 84:18; 87:12; 173:10;
175:20
fund [1] 60:7
fundamental [2] 62:13; 133:23
funded [4] 109:14; 166:7;
185:12; 191:10
funding [2] 184:22; 185:6
funds [4] 60:8; 65:9; 68:12
future [1] 63:3

- G -

G-o-e-r-t-t-z [1] 112:2
G-r-a-n-t [1] 12:16
Gable [1] 119:25
gained [6] 39:2; 40:14; 87:2;
129:22; 171:15; 204:11
gambit [1] 96:19
garage [1] 143:16
Gardener [6] 58:5, 6, 9, 15; 59:4,
13
GARY [1] 2:15
gathered [2] 38:18; 92:16
gathering [2] 24:24; 96:21
gave [3] 31:13, 14; 184:2
geared [1] 122:9
gee [1] 182:11
Generals [1] 181:19
generically [3] 28:5; 29:4, 14
genetic [1] 147:22
gentlemen [1] 152:23
Georgia [2] 3:15, 20
gets [1] 188:4
Gill [1] 152:18
Girdenbach [2] 186:21; 187:16
Giuliani [1] 192:23
Give [3] 24:10; 26:13; 28:20
give [19] 15:11; 28:20; 29:3;
30:24; 31:12; 34:18; 76:7, 25;
110:4; 116:6, 10; 146:9, 16;
182:25; 184:4, 6; 190:23, 25;
202:9
given [4] 17:21; 36:3; 132:22;
212:24
gives [2] 139:14; 148:13
giving [7] 79:11; 91:24; 131:13;
173:22; 174:7; 190:15; 196:21
gland [1] 31:2
Glenn [15] 69:8; 78:4; 79:15;
81:19; 82:5; 83:18; 84:5, 7; 85:3,
11, 13; 155:22; 156:25; 157:5;
158:12
Godfrey [2] 115:16; 116:24
Goerlitz [8] 111:25; 112:3, 9, 17,
19, 24; 113:2, 11
goes [4] 131:15, 16; 133:9; 177:3
Gold [1] 46:2
Goldbrenner [1] 14:20
golden [2] 196:20; 197:8
golfing [1] 134:7
goodness [1] 63:4
GORDON [1] 3:21
Gordon [2] 152:17; 153:8
gotten [1] 183:16

STERLING REPORTING SERVICE, INC.

(212) 267-4150

From examination to gotten

682705696

Basic Synonym Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Look-See(?)

government [13] 24:13, 16, 18, 22, 24; 26:8; 43:23; 44:21; 54:8, 18; 58:24; 96:20; 191:11
governmental [2] 52:22; 122:4
graduated [2] 7:7, 11
Grant [4] 12:14, 15, 16, 24
grant [10] 67:17; 68:13, 14, 25; 80:4; 109:25; 130:22; 131:18; 136:11
granted [1] 68:20
grantee [6] 61:10, 24; 79:23; 80:10, 12
grantees [2] 65:10; 171:2
grantor [1] 79:23
grants [10] 60:10, 23; 64:22; 65:16; 68:9; 79:11, 20; 110:4; 130:19, 24
graphics [1] 143:4
great [9] 43:22; 62:18; 117:20; 138:20; 147:21; 165:24; 174:8; 195:16; 202:9
Greenberg [3] 1:16; 157:2; 212:12
Greensboro [4] 16:25; 160:6; 177:3; 192:7
grew [4] 15:15, 16; 54:24; 194:13
grounds [1] 50:24
Group [1] 3:4
group [2] 68:2; 156:2
groups [5] 71:24, 25; 111:7, 10, 12
grower [1] 71:24
Growing [1] 107:17
growing [1] 107:18
grown [1] 15:14
Guaranty [1] 108:22
guess [1] 132:19
GUTHRIE [1] 3:3
guy [5] 44:25; 145:23; 168:14, 19; 169:5

- H -

Haines [15] 88:22; 89:19; 91:18; 92:24; 93:3, 14; 94:3; 127:10; 128:14; 169:3, 8; 170:17; 200:12, 14; 207:20
half [2] 152:14
hand [1] 213:11
Handing [1] 129:3
handle [2] 72:15; 148:6
handled [1] 98:22
hands-on [3] 98:7, 9, 13
happening [1] 210:13
happy [4] 96:9; 111:20; 116:9; 117:16
hard [2] 26:18; 146:9
HARDY [1] 2:11
Hardy [1] 93:17
harmed [1] 94:24
Harmon [3] 81:23; 153:19, 20
HART [1] 4:4
Hasn't [1] 198:19
hat [10] 18:25; 19:7; 21:10; 49:9, 11; 51:17; 134:6, 7; 176:25; 179:21
hates [1] 198:14
hats [3] 18:12; 41:17; 51:15
hazards [1] 114:16
head [1] 112:11
Health [1] 30:3

health [31] 29:21; 36:13, 14; 38:5, 19; 39:15; 40:5; 42:22; 43:6; 44:3, 8; 52:24; 56:3; 60:8; 68:7; 94:24; 102:19; 104:11, 25; 106:4; 109:18; 113:23; 126:12; 143:14; 160:22; 175:14; 178:5; 183:12; 186:13; 204:16
health-related [2] 55:25; 102:14
healthy [3] 38:13; 43:2, 9
hear [5] 23:25; 27:11; 66:3; 164:11; 198:8
heard [6] 57:15; 112:17; 149:14, 15; 168:16; 188:19
hearing [1] 23:7
Heart [4] 181:16; 182:9; 186:3; 207:2
heart [20] 46:11, 18; 47:10; 55:17; 63:12; 64:9; 65:7; 66:6, 11, 16, 21, 23; 104:15, 16, 21, 23; 105:2; 106:8, 10; 181:21
heavier [1] 41:24
heavy [5] 32:11, 13, 15; 100:11; 188:12
Heiges [1] 9:13
held [5] 1:16; 81:3; 129:14; 150:7; 174:11
help [2] 124:17; 131:12
Henry [2] 59:14; 153:17
Herbert [6] 110:12, 18; 111:16, 21; 112:8, 15
HEREBY [1] 5:4
hereby [2] 5:19; 212:10
hereto [2] 5:6; 213:9
hereunto [1] 213:10
hesitate [1] 68:11
hey [3] 63:23; 170:21; 188:12
heyday [1] 119:5
hidden [3] 195:22; 199:24; 200:10
hide [2] 42:12; 203:6
hiding [1] 203:13
high [5] 108:8; 126:8, 16; 173:24; 194:15
higher [3] 16:15; 125:10; 127:2
Hill [1] 31:4
hire [4] 93:13; 131:23; 156:24
hired [7] 11:2, 3, 4, 9; 12:5, 7; 155:23
hiring [4] 11:7; 105:17; 157:5; 158:4
historically [1] 195:21
history [6] 115:13, 18; 118:19; 148:14, 21; 180:24
HOFFMAN [1] 2:18
Hoffman [2] 1:17; 212:12
Hole [2] 58:3, 23
Hollywood [4] 115:15; 116:23; 117:10; 119:23
home [2] 6:18; 143:21
honest [2] 169:12; 174:9
hope [3] 63:18, 19, 21
horizon [1] 64:19
horrible [1] 188:14
Hospital [1] 31:4
hospital [5] 31:2, 3, 23; 58:16; 102:15
hospitality [1] 104:4
hospitalization [1] 31:17
host [3] 63:15; 123:15; 191:13
Hotels [1] 104:7
hotels [1] 104:6

hours [2] 78:2; 137:17
House [1] 191:24
Howard [1] 192:9
hub [2] 205:18; 207:7
human [4] 105:15; 118:17; 120:15; 121:8
Hundreds [1] 115:8
hundreds [2] 67:9; 115:8
hurt [6] 63:25; 64:9, 15, 17; 117:21
husband [2] 108:7, 25
hygiene [1] 191:18
Hypothetical [2] 34:19; 137:10
hypothetical [17] 35:2, 17, 18, 24; 36:20; 38:3; 118:25; 138:5, 13; 139:12, 14, 18, 20, 21; 140:17; 141:10; 189:10
hypotheticals [1] 35:11

- I -

ID [1] 211:11
idea [18] 33:19; 36:9; 63:2; 88:5, 6; 100:7; 102:17; 103:12; 107:20; 115:23; 116:14; 121:17; 122:23; 140:10; 145:25; 161:12; 198:15; 204:3
identification [3] 128:10; 130:14; 142:20
identified [2] 115:23; 116:4
identify [6] 109:19; 124:18; 149:9; 152:22; 155:17; 183:17
identities [1] 179:20
identity [1] 180:13
idolize [1] 118:12
ignorance [1] 138:18
imaginary [1] 118:25
immediate [3] 9:15; 12:13; 15:17
immediately [3] 45:6; 56:20; 91:14
immunology [1] 66:24
impact [2] 122:14; 204:15
impacted [1] 164:19
important [1] 166:6
impossible [1] 38:21
imprecise [1] 77:22
impression [5] 80:22; 102:4; 104:22; 126:24; 187:23
impressionable [1] 140:16
impressive [1] 140:13
impropriety [1] 201:15
in-house [1] 13:2
inaccurate [1] 41:19
inadequacies [1] 111:11
inappropriate [2] 37:15; 208:17
INC [3] 1:10, 13, 14
Inc [6] 2:11, 12, 22; 3:4; 11:11
include [2] 45:20; 66:10
includes [5] 26:9; 52:7; 131:7, 8; 208:11
inclusion [1] 87:21
inclusive [1] 97:2
income [1] 108:3
incorporate [1] 53:6
Incorporated [1] 7:20
incorrect [5] 28:3; 89:12; 90:13; 111:5; 209:8
increase [2] 117:24; 119:23
increases [1] 84:8
incredible [2] 89:20; 173:23
independent [8] 20:20; 60:7, 11; 65:9; 68:2; 131:23; 165:17; 171:24
indicated [3] 51:3; 119:16; 161:17
indicates [3] 40:22; 147:17, 22
indicating [1] 12:2
indication [2] 101:16; 199:11
individual [12] 72:12; 82:6; 98:20; 135:2; 146:8; 149:21; 152:24; 155:5, 11; 163:5; 178:11; 180:22
individuals [3] 178:3, 11, 22
industries [1] 166:23
industry [68] 24:17; 25:4; 27:24; 45:13; 49:7; 52:21, 25; 54:10; 60:9; 63:10, 20; 81:7; 88:18, 25; 90:23; 96:23; 97:2, 5, 17, 23; 98:5; 104:4; 113:17; 115:3; 116:3; 118:23; 119:22; 120:10; 121:5, 6, 12, 21; 123:20; 124:11; 133:24; 135:15; 148:7, 9, 12, 14, 22; 163:25; 164:3, 13, 20; 166:12, 16; 170:18; 173:24; 182:10, 15; 183:15, 16; 194:9; 195:9, 12, 21; 198:19; 199:23; 201:11; 204:15; 206:24; 207:18, 22; 208:2, 24
infant [1] 29:22
infants [1] 30:3
infections [1] 66:11
influence [1] 164:22
influencing [1] 166:4
information [56] 17:22; 24:23; 26:25; 38:10, 12, 19; 39:2, 14; 42:20, 25; 43:14, 15; 44:6, 7, 9; 45:9; 60:20; 61:22; 68:3; 87:4; 91:9; 94:10; 96:21; 114:2; 123:25; 124:3; 129:24; 131:6; 132:6; 134:18; 138:19; 147:17; 148:21; 151:21; 166:10; 167:20; 170:3, 4; 172:6; 176:3; 177:7, 9, 18, 19; 178:17; 189:16; 190:5; 196:6; 197:22, 25; 199:3, 14, 20; 203:25; 204:5, 10
informs [1] 173:16
initial [1] 11:20
initially [2] 11:15; 185:9
innocent [1] 119:10
input [5] 25:22; 34:4; 156:23; 157:21; 158:3
inquiring [1] 103:7
inserted [1] 213:11
inside [2] 93:8; 193:15
insofar [3] 170:2; 189:9; 190:11
instances [4] 61:9, 18; 73:8; 166:9
instantly [3] 192:3, 4, 5
Institute [21] 3:9; 97:20; 98:12, 15, 22, 24; 162:24; 163:5, 9, 13, 17, 20, 24; 164:4; 165:3, 12, 14, 16; 166:3; 181:7, 13
institution [11] 58:15; 19; 61:9; 79:25; 136:19; 151:24; 152:4, 21, 25; 155:17; 161:25
institutions [3] 61:6; 151:21; 152:23
instruct [21] 27:9; 39:3; 48:10; 91:11; 124:6; 127:16; 129:8; 130:2; 131:10; 132:3, 9; 133:11; 159:10; 177:23; 180:11; 184:20; 186:20; 193:10, 15; 202:16; 203:8

STERLING REPORTING SERVICE, INC.

(212) 267-4150

From government to instruct

682705697

Basic Systems Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Lock-Sell

instructing [9] 87:5; 92:2, 20;
131:14; 174:24; 177:16; 196:22;
198:3; 210:9
instruction [5] 76:24; 77:3;
197:9, 19, 21
instructions [2] 196:21; 210:15
instrument [1] 119:12
insulate [1] 146:3
insulting [1] 88:24
insurance [1] 143:14
intellectual [1] 111:11
intelligent [2] 122:17; 139:15
intended [1] 123:18
intention [1] 122:13
intentionally [1] 50:14
interact [2] 81:25; 82:9
interest [2] 163:15; 182:5
interested [3] 51:12; 175:9;
213:9
interface [1] 172:17
interior [1] 80:6
intermingled [1] 20:4
International [1] 58:12
international [3] 17:5; 145:8;
160:9
interpose [1] 47:25
interposed [1] 50:9
interpretation [3] 41:18; 202:2, 3
interpretations [1] 92:4
interview [4] 155:22; 156:2, 19,
21
interviewed [7] 11:6, 9; 149:21;
155:25; 156:3; 157:10, 16
investigate [2] 60:12; 110:2
investigated [1] 193:7
investigations [1] 61:3
investigator [2] 61:18; 79:25
investigators [2] 60:24; 131:23
Investing [1] 108:4
investment [1] 108:3
involve [1] 171:14
involved [23] 19:13; 24:18, 23;
25:4, 9, 15, 16; 26:14, 16, 23;
29:22; 30:4; 52:20; 57:18; 64:25;
78:12; 91:22; 92:23; 94:13;
127:21; 160:21; 161:7; 204:8
involvement [6] 83:12; 92:24;
93:3, 9; 161:4, 8
involvements [2] 83:14
involves [2] 129:23; 169:14
involving [2] 48:6; 123:11
irrespective [1] 169:8
issue [14] 38:11; 42:21; 45:8;
63:17; 65:6; 97:6; 109:18, 22;
136:14; 142:17; 160:21; 186:13;
196:23; 204:15
issued [2] 64:22; 136:11
issues [7] 61:2; 65:12, 16; 110:2;
123:10; 175:13; 178:4
issuing [1] 68:9
item [1] 89:16

- J -

J-o-k-i-n-g [1] 154:13
JACOB [1] 4:4
Jamaica [1] 194:12
JAMES [2] 3:16; 4:10
James [4] 14:20; 69:8; 84:24;
93:24
jargon [1] 32:4

Jenrette [1] 108:9
Jersey [1] 105:24
Jesse [1] 9:13
job [7] 8:16; 20:20; 24:3, 4;
57:16; 153:23; 189:7
Joe [3] 115:20; 122:8, 12
JOHNSON [1] 3:16
Johnson [2] 84:24
joined [1] 203:21
Jokhtik [1] 154:12
JONES [1] 3:13
Jordan [2] 117:18; 118:12
Joseph [2] 6:13; 150:22
Journal [19] 62:2; 88:10, 19;
90:4, 10, 14, 21; 167:2; 170:16;
171:20, 22; 173:25; 205:13, 16;
206:12; 207:25; 208:22; 209:5, 24
journal [1] 67:15
journals [1] 120:22
JR [2] 3:6; 4:10
Judge [25] 19:5; 88:23; 89:2, 18;
90:11, 12, 20; 91:17; 92:6, 9, 14;
127:14, 25; 128:8, 13; 156:15, 18;
169:2; 170:17; 200:15, 24;
207:19; 209:6, 7; 211:12
judgment [8] 34:13; 38:11; 45:8,
11; 90:12, 16; 177:24; 209:11
judgments [1] 136:5
JUDICIAL [1] 1:2
Judith [1] 154:23
June [4] 33:11; 79:18; 80:7, 19
junior [1] 53:14
juries [1] 77:23
JURISDICTION [1] 1:4
jurist [1] 201:14

- K -

Kansas [2] 2:13, 14
Karnovsky [1] 153:11
Kaye [1] 19:5
keep [9] 45:5, 21; 63:22; 184:3;
191:6; 202:22; 204:13; 205:5, 7
Kent [1] 46:2
Kentucky [1] 32:3
kept [4] 25:5; 65:25; 76:13;
189:25
kidding [1] 112:12
kids [2] 118:12; 122:19
killing [1] 188:14
kinds [5] 28:22; 29:18; 120:10;
121:11, 22
KING [1] 3:19
king [1] 207:23
kings [1] 170:18
knowing [2] 30:8; 88:4
knowledge [43] 22:20; 33:9;
34:2; 39:2; 40:13; 60:16; 86:24;
87:11, 25; 88:21; 89:4, 13;
102:19; 113:11; 129:21; 138:23;
160:20; 161:8; 162:15; 169:21;
171:9, 15; 172:10, 21; 173:3, 4, 6,
9, 15, 19, 20; 175:15; 178:4, 12;
179:12, 14, 15; 188:9;
199:20; 204:20; 209:19; 212:19
knowledgeable [2] 25:6; 57:19
Knudson [1] 152:2
Koop [1] 186:12
Koppel [1] 186:10

- L -

L-e-e [1] 108:13
Laboratories [1] 58:3
laboratory [3] 65:2; 139:6, 12
lack [1] 27:15
Lane [1] 3:4
language [3] 89:18; 127:13;
164:23
large [3] 135:19; 136:2; 189:14
larger [1] 54:24
last [21] 8:21; 9:25; 14:21; 55:7;
67:12; 77:8, 25; 79:16; 81:10, 14,
15, 16; 82:12; 97:25; 104:2;
109:17; 110:12; 115:3, 5; 123:21;
209:3
Law [2] 7:10; 11:21
law [20] 7:9, 14, 15; 18:21, 23;
21:9, 21; 23:12; 26:22; 27:20;
37:3; 40:17, 22; 41:14, 18, 24;
53:16; 93:16; 95:4; 98:2
lawsuit [2] 94:25; 193:4
lawsuits [1] 183:7
lawyer [7] 7:13; 13:4; 17:7;
26:18; 35:18; 91:21; 159:12
lawyer-like [1] 77:17
lawyers [10] 10:6, 12, 15; 50:23;
173:7, 17; 179:8, 10, 24; 198:14
lay [2] 44:16, 18
layman [1] 44:14
learned [13] 38:22; 41:6, 9; 42:8;
55:4; 62:6; 91:13, 14, 15; 119:15;
145:24; 178:19; 196:7
leave [4] 8:14; 10:20; 189:21;
194:3
leaving [1] 31:23
Lee [3] 108:13, 14; 109:11
legal [15] 9:2; 15:14; 91:25; 92:4;
93:7; 176:22; 177:23; 189:22;
190:2, 4; 202:6; 203:18; 208:11,
14, 15
Legislation [1] 164:8
legislation [11] 24:25; 25:3, 23;
27:2; 96:22; 97:22; 164:14, 19,
23; 166:4, 5
legislative [4] 25:18; 96:18;
163:3; 166:17
legs [1] 104:14
Lenox [1] 31:4
Leo [1] 153:13
Lester [2] 11:4, 20
level [21] 16:11, 14, 22; 26:10,
11, 14, 17; 49:6; 52:10; 84:4, 9;
89:14; 126:4; 147:15, 24; 164:21;
173:24; 192:20
levels [3] 124:24; 126:3; 164:24
Liaison [4] 24:15; 52:20, 23; 54:9
libraries [1] 61:7
library [1] 148:20
licensed [1] 6:23
lie [1] 114:14
lies [1] 206:14
Life [1] 117:18
life [5] 34:9; 101:15; 102:9; 104:3;
105:5
lifetime [1] 63:18
Liggett [1] 3:4
light [1] 32:14
limit [2] 18:11, 20
limited [3] 21:4; 53:2; 65:23
limits [1] 22:12
line [7] 33:18; 34:18; 36:17; 48:2;
140:15; 170:21; 202:22

lines [2] 26:5; 28:15
lining [1] 25:9
links [2] 205:19; 207:8
LIPOFF [1] 2:18
Lipoff [2] 1:17; 212:13
list [8] 45:21; 54:7; 109:20; 116:7,
11; 184:4, 5; 192:14
listing [2] 182:25; 183:4
lists [1] 128:20
litany [1] 110:4
literally [1] 119:6
literature [1] 126:22
litigant [1] 94:21
litigating [1] 87:3
Litigation [1] 168:24
litigation [16] 40:11; 56:4; 68:7;
91:22; 93:25; 127:20; 133:2, 9;
168:22; 169:19; 176:7; 183:12;
193:13; 208:16; 209:18, 20
live [3] 102:21; 186:23; 194:5
lived [1] 100:5
lives [5] 102:22; 106:2; 108:5;
186:25; 194:6
living [4] 9:18, 20, 21; 10:2
loaded [1] 204:24
lobby [6] 98:10; 164:12, 15, 16,
17
lobbyers [3] 97:6; 98:11, 21
lobbying [3] 96:22; 97:16; 166:4
local [5] 26:10, 14; 164:13, 21;
192:20
Loew [4] 11:10, 11; 144:4, 10
long-legged [1] 99:10
long-range [1] 136:15
long-term [1] 136:15
longevity [1] 53:17
LORILLARD [2] 1:13, 14
Lorillard [99] 2:11, 12; 4:11;
10:23; 11:14, 15; 12:8; 13:5, 6;
15:18, 21; 16:23; 17:9, 16; 18:4,
17; 19:8, 16, 20, 22, 24; 20:24;
21:16, 17; 22:3, 12; 23:16, 21;
24:6; 28:17; 29:14; 35:5; 38:17;
39:8, 9; 40:8; 42:24; 45:23; 47:7,
8; 48:19;
49:18; 50:13; 52:19; 53:8; 54:4;
56:21; 57:13, 16; 70:21; 71:21;
73:12, 15, 22; 82:10; 91:15;
92:18; 93:14; 94:25; 95:5, 12;
97:16; 98:24; 124:2, 7, 13, 20, 23;
125:19; 132:6, 13; 141:25; 142:5,
24; 143:8, 9, 24; 144:4, 7; 156:6,
7; 166:14; 173:19; 175:13;
176:4, 10; 178:3, 12, 18; 179:5;
180:8, 22; 188:10, 22; 198:5, 10;
203:5, 21
Lorraine [1] 78:9
Los [3] 26:20, 22; 27:20
lost [2] 97:6; 124:8
lot [10] 32:17; 35:6; 44:22;
123:10; 128:18; 138:18; 146:16;
159:8; 180:9; 193:5
Lots [1] 166:23
lousy [6] 138:11, 16; 139:17, 19,
20; 182:12
low [9] 112:24, 25; 125:14; 126:6,
7, 11, 15; 144:16
lower [4] 124:21; 125:11, 22;
127:2
Lufkin [1] 108:9
luncheon [1] 150:9

STERLING REPORTING SERVICE, INC.

(212) 267-4150

From instructing to luncheon

682705698

Basic Systems Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Lock-Scan

Lung [5] 117:7; 181:16; 182:9;
186:3; 207:3
lung [26] 46:11; 47:4, 9; 55:16;
62:23; 63:12; 66:15; 106:15, 16;
133:3; 134:12, 22, 25; 137:18, 23;
138:3, 24, 25; 139:25; 140:12, 13,
23; 141:3, 5, 6; 188:12
lying [3] 112:15, 19; 208:24
Lynch [1] 153:17

- M -

M.D. [8] 58:9; 151:5; 152:6, 9,
19; 153:5; 154:16; 155:12
M.D.s [3] 152:14, 15; 155:8
machine [2] 78:16, 17
Magazine [2] 117:19
magazine [2] 149:8, 22
Maggio [4] 115:20; 116:13;
119:4, 25
Maiden [1] 3:4
Main [1] 2:13
main [2] 65:18; 69:20
major [5] 7:5; 45:25; 116:3;
194:24; 206:25
malls [1] 28:23
man [9] 11:4; 12:13; 15:21;
32:13, 14; 111:25; 112:5; 207:17
managed [2] 144:20, 23
management [1] 167:9
Manager [3] 104:4, 5, 6
manager [1] 105:17
mandate [1] 62:9
Manfred [1] 153:10
Manhattan [3] 69:21; 70:2; 108:6
manipulated [3] 198:20; 199:12,
25
Manuel [1] 11:5
manufacturers [2] 98:18; 111:8
Manufacturing [1] 17:3
manufacturing [3] 72:2; 73:7;
74:5
March [2] 8:22; 10:25
Marchese [1] 193:24
MARIA [2] 212:7; 213:14
Maria [2] 1:20; 6:4
mark [1] 130:7
marked [5] 128:4, 9; 130:13;
142:16, 19
market [1] 82:21
marketer [1] 195:13
Marketing [1] 15:24
marketing [1] 126:22
married [6] 33:2, 10; 108:23;
109:7, 9, 11
Martin [1] 15:24
Massachusetts [1] 102:22
massive [2] 205:18; 207:7
Master [2] 201:5, 7
matter [17] 16:17; 25:25; 35:24;
73:18; 83:22; 92:5; 96:18; 120:8;
134:10, 21; 163:13; 166:5;
180:14; 185:20; 188:10; 202:14;
212:20
matters [5] 56:2; 79:22; 179:18;
187:25; 208:16
McAllister [8] 81:22, 23, 25;
82:5, 9; 153:19, 20; 154:9
mean [35] 23:25; 29:17; 32:11;
41:20; 49:11; 63:4; 68:17; 75:10;
76:24; 78:15, 23; 79:10; 82:20;

83:9; 86:9; 96:15; 101:24; 102:15;
107:8; 110:16; 120:4; 121:18;
123:5; 138:16; 142:7; 143:4, 6;
162:5, 10; 164:10; 176:24; 185:8;
186:23; 192:21;
197:15
meaningful [1] 179:15
meaningless [1] 139:24
means [5] 28:9; 132:19; 146:3;
162:6; 176:20
mechanism [2] 47:3; 135:21
mechanisms [1] 67:2
media [6] 61:8, 25; 149:7, 23;
163:25; 168:4
medical [11] 55:14; 58:16, 20;
59:23; 61:16, 22; 62:16, 19;
69:10; 191:13; 195:19
medically [1] 31:10
MEDINGER [1] 4:4
meet [2] 80:24; 140:3
meeting [18] 70:8; 74:4, 12; 76:8;
79:16, 17, 18, 19; 80:7, 8, 16, 19,
20; 83:21; 88:20; 89:3, 21; 161:14
meetings [36] 39:10; 40:3; 56:10,
14, 25; 57:9, 14; 69:4, 5; 70:8, 11,
22; 71:8; 72:19, 21; 74:10; 75:10;
76:6; 77:7, 9, 10, 13, 14, 15, 24;
78:3; 79:10, 13; 80:9; 81:3; 82:3;
83:3, 8, 15; 87:15, 24
member [34] 39:5; 40:2; 48:16;
51:10, 21; 53:3, 8; 57:3, 14; 75:3;
83:6; 88:3; 90:17; 148:25; 149:4;
151:19; 153:4; 154:14; 155:2, 17;
170:19, 22; 171:17; 172:10;
173:2; 185:23; 192:2; 199:10, 13,
17, 24; 200:3; 206:8; 208:19
members [21] 71:15; 73:14;
84:3, 8; 89:24; 149:16; 151:8;
152:12, 13; 154:2, 4; 155:6;
170:12, 25; 171:2, 7, 23; 172:4,
15; 192:10, 15
memorandums [1] 76:14
memorized [1] 151:17
memory [3] 74:11, 15; 117:12
mention [3] 90:2; 124:20; 125:20
mentioned [4] 103:15; 113:12;
116:24; 121:9
mentions [1] 111:24
mergers [1] 9:4
merits [6] 18:9; 19:2; 40:11;
91:22; 200:21; 201:16
methodology [1] 139:7
methods [1] 146:24
Miami [4] 2:6; 3:25; 39:18;
133:14
Michael [4] 117:17; 118:12;
145:5; 153:2
Microbiological [1] 136:22
mid [1] 120:12
middle [2] 125:12; 126:16
military [1] 8:3
milligrams [1] 125:22
million [3] 81:12; 82:15
millions [5] 63:5; 115:8; 118:12;
119:6; 195:16
Milton [1] 101:3
mind [11] 31:7, 11; 63:9; 64:7;
82:25; 116:20; 143:5; 149:10;
167:21; 185:23; 193:2
minds [1] 34:16
mine [1] 44:24

ministerial [2] 70:19; 83:22
minority [2] 111:7, 9
minutes [7] 53:25; 78:5, 14, 18,
21, 23; 150:4
mischaracterizes [2] 168:7;
207:15
misled [1] 111:8
mission [3] 164:4, 5, 7
Missouri [1] 2:14
misstates [1] 168:6
misunderstood [1] 144:6
mixed [1] 131:16
model [2] 112:4; 113:5
moderate [1] 100:14
moment [3] 116:20; 144:19;
193:2
money [6] 64:21; 68:18, 20;
115:2; 166:7; 207:18
month [1] 193:21
months [3] 101:25; 137:17;
140:22
Morgan [1] 108:22
morning [1] 188:25
MORRIS [1] 1:10
Morris [6] 2:12; 71:22; 82:16;
84:23; 110:24; 166:15
MOSS [1] 3:24
mother [4] 99:21; 100:3; 106:16,
18
mother-in-law [1] 107:18
motion [3] 19:12, 18; 20:10
mouth [1] 31:24
MS [23] 18:7; 19:19; 20:13;
21:14; 22:7; 23:5; 39:5; 41:13, 23;
48:15, 23; 51:9; 52:18; 53:21;
54:3; 96:12; 175:17; 176:8;
177:15, 25; 179:19; 200:20; 203:2
MUDGE [1] 3:3
multiple [1] 39:9
Musial [2] 115:20; 119:5
musical [1] 115:16
myriad [1] 139:8
myself [1] 59:9

- N -

N.E. [1] 3:15
N.W. [1] 3:9
Nabisco [1] 3:14
name [31] 6:10; 9:13; 14:21;
21:10; 45:12, 16; 62:5; 81:20;
95:14; 101:2; 102:23; 104:8;
109:9, 11; 113:12; 116:17;
136:18; 149:11, 13; 155:11;
180:21; 182:7; 183:4, 5, 10;
184:5, 7; 185:10; 192:17; 193:3,
17
named [8] 11:4; 12:14; 15:24;
21:11, 12; 111:25; 212:16
names [9] 14:19; 45:21; 72:2;
107:22; 109:8; 149:16; 150:2;
183:20, 25
naming [1] 180:17
national [1] 164:20
nature [4] 15:10; 35:23; 79:25;
118:17
needs [1] 84:10
negative [7] 72:22; 88:17, 24;
136:16; 141:13; 195:20; 199:23
negatively [1] 204:15
neutral [1] 43:11

Newport [3] 46:2, 5, 7
newspaper [2] 196:16; 206:13
Newsweek [1] 117:19
nice [2] 202:8, 23
NICHOLAS [1] 2:24
Nicholas [1] 14:21
nicotine [15] 124:22, 24; 125:11,
12, 15; 126:2, 4, 6, 7, 8, 11, 16,
17; 148:4
non-argumentative [1] 197:19
non-expert [1] 138:6
non-lawyers [1] 173:19
non-smoker [1] 194:17
non-smokers [1] 28:13
non-smoking [2] 29:2; 99:5
non-technical [1] 207:17
NORMA [1] 1:7
normal [1] 143:7
normally [1] 72:6
Norman [1] 178:9
North [1] 3:24
notarial [1] 213:11
NOTARY [1] 210:25
Notary [4] 1:20; 6:4; 212:8;
213:16
note [1] 129:17
noted [1] 210:18
noteworthy [1] 79:24
Notice [2] 1:16; 212:11
notice [9] 18:3; 19:15; 20:9;
21:20; 23:3; 46:14, 21; 52:5;
142:23
noticed [10] 17:13, 17; 18:8;
19:9, 10, 17; 21:3; 50:12, 14
notices [1] 44:2
number [17] 9:24; 35:5; 38:17;
50:22; 67:10; 78:10; 79:20; 81:17;
99:21; 105:21; 146:16; 148:23;
163:7; 165:11; 183:24; 202:13;
213:11
NYU [2] 11:21, 25

- O -

Or-to-w-s-k-y [1] 15:25
oath [6] 5:14; 53:25; 103:20;
173:25; 189:25; 212:22
Object [3] 122:25; 135:12; 186:6
object [44] 22:9; 34:5; 35:10;
36:17; 37:8; 86:3, 22; 91:20;
97:12; 114:6; 117:25; 120:2;
121:14; 122:10, 20; 123:22;
128:13; 131:9; 132:2; 133:6, 16;
138:4; 140:15; 141:8; 145:13;
168:5, 8; 169:13, 25; 174:19;
179:16; 181:23; 186:15; 189:8;
190:10; 194:20; 195:24; 197:11;
198:22; 200:5; 203:12; 204:17;
207:12; 208:9
objection [12] 37:5, 9; 38:7, 15;
47:25; 49:16; 54:19; 118:15, 18,
20; 174:23; 196:22
objectionable [2] 40:15; 127:21
Objections [1] 37:22
objections [7] 5:7; 37:17, 19, 20,
23, 25; 53:20
objective [1] 174:9
obligations [1] 15:14
obtain [1] 177:18
obvious [4] 164:11; 182:3, 6;
193:6

STERLING REPORTING SERVICE, INC.

(212) 267-4150

From Lung to obvious

682705699

Obviously [8] 64:6; 75:5; 112:23; 129:19; 159:15; 162:11; 203:8; 209:17
 obviously [19] 26:21; 37:6; 39:17; 42:8; 51:12; 64:15; 68:18; 94:9; 96:15; 119:21; 130:8; 133:11; 191:4; 193:5; 197:16, 17; 199:22; 210:7, 10
 occasion [9] 69:25; 81:24; 82:8; 154:5; 158:14; 160:12, 13; 181:5, 10
 Occasionally [1] 71:11
 occasionally [2] 32:24, 25
 occasions [2] 70:5; 101:24
 occurred [3] 12:22; 76:8; 137:25
 occurring [2] 36:5, 6
 October [2] 8:18; 82:4
 office [12] 8:7, 8, 9; 11:22; 12:2; 52:11; 69:20, 22, 23; 81:4; 85:3, 9
 Officer [3] 11:14; 72:13; 74:21
 officer [3] 5:13; 16:25; 160:6
 offices [3] 1:16; 70:2; 212:12
 officially [1] 199:25
 officials [1] 193:2
 Oh [2] 116:6; 144:5
 Okay [65] 7:21; 8:20; 10:4; 12:4; 10; 14:15; 16:20; 23:14, 20; 29:24; 30:2; 32:10, 18, 22; 59:12; 65:13; 68:23; 73:16, 21, 25; 76:11; 77:6, 16; 78:20; 79:8; 90:8; 93:21; 94:18; 100:2; 101:12, 21; 102:7, 20; 105:8, 22; 108:20; 116:12; 117:9; 119:2; 126:14; 127:7, 23; 130:6; 140:5; 141:24; 143:11, 17; 145:2; 152:8; 154:19; 155:15, 21; 156:16; 157:18, 20; 158:8, 24; 173:14; 175:11; 179:9; 181:4; 184:8; 185:7; 196:18; 210:17
 okay [6] 24:3; 45:5; 50:5; 125:21; 135:10; 179:4
 Old [1] 46:2
 old [4] 30:22; 34:20; 35:3; 99:24
 Older [1] 103:2
 older [3] 34:13; 101:4; 102:25
 one-year [1] 9:9
 ones [1] 45:25
 ongoing [1] 62:17
 Op-Ed [2] 110:19; 111:17
 open [2] 63:22; 196:24
 operating [2] 73:4; 74:22
 operation [2] 16:25; 160:6
 Operations [2] 17:3; 160:7
 operative [1] 108:8
 operators [1] 97:24
 opine [1] 140:19
 Opinion [1] 211:12
 opinion [39] 20:4; 39:11; 45:4; 47:21; 56:14; 63:8, 9, 10; 90:12, 13, 23, 25; 91:18, 23; 111:6; 112:24, 25; 122:22; 123:4, 12; 127:10, 14, 24; 128:2, 7, 13; 169:3; 170:17; 200:14, 18; 201:25; 207:20, 24; 208:11, 15; 209:6, 8, 12; 210:3
 opinions [13] 44:19; 45:9, 16; 48:4, 7; 56:6, 9; 91:21, 25; 92:4, 14; 202:6; 209:12
 opportunity [11] 130:10; 139:14; 173:23; 174:8; 175:2; 196:13, 20; 197:8; 202:9, 18, 19

oppose [4] 28:24; 29:25; 30:6, 8
 opposed [10] 28:4; 29:5, 10, 15, 18; 97:21, 24; 98:24; 106:22; 125:8
 opposition [6] 27:17; 28:5, 13; 98:2, 6; 106:24
 Oral [1] 76:17
 oral [2] 76:16, 20
 orally [1] 77:2
 order [6] 46:12; 50:16; 89:16; 127:25; 128:3; 135:25
 orderly [1] 166:19
 orders [3] 128:4, 8; 211:13
 ordinary [1] 196:17
 organization [5] 70:17; 169:12; 174:10; 182:8; 207:2
 organizational [2] 15:22; 16:12
 organizations [7] 24:15; 54:10; 97:21; 110:23; 165:17; 182:23; 183:9
 originally [2] 62:4; 157:7
 Orlovsky [2] 15:24; 16:4
 Orthopedic [1] 109:4
 ours [1] 125:9
 outcry [2] 120:15; 121:9
 outrage [1] 171:3
 Outside [1] 23:23
 outside [15] 13:4; 19:24; 22:24; 23:21; 24:16; 41:6; 51:6; 52:12; 91:8; 93:8, 13; 124:4; 160:24; 193:14; 199:4
 outspoken [1] 149:2
 oversees [1] 70:17

- P -

P.A. [6] 1:17; 2:4, 11, 18; 3:24; 212:13
 p.m. [3] 150:10, 15; 210:18
 P.O. [1] 3:10
 pack [2] 32:6; 100:15
 package [1] 46:6
 packages [1] 45:22
 packs [1] 32:6
 PAGE [1] 211:5
 page [4] 110:19; 117:20; 205:15; 206:12
 pages [13] 78:25; 79:2; 111:17; 128:2, 3, 7, 8, 24; 130:10; 200:12; 211:12, 13
 paid [4] 85:11; 141:25; 183:14; 188:4
 pairing [1] 11:16
 pandered [1] 111:7
 parameters [1] 20:11
 parents [2] 99:20; 107:18
 Park [5] 1:17; 2:19; 4:12; 6:16; 212:13
 PARKS [1] 3:24
 parse [2] 40:19; 131:19
 part [11] 62:16; 105:5, 24; 126:19; 130:22; 131:20; 156:2; 164:3; 167:13; 175:19; 176:12
 participated [1] 97:19
 participation [3] 83:15, 16; 158:3
 parties [4] 5:6; 42:3; 213:5, 8
 partly [1] 131:16
 partner [1] 53:16
 party [1] 93:5
 pass [2] 27:20; 196:13
 passive [1] 184:9

PATRICK [1] 3:6
 pattern [2] 32:19; 102:3
 PAUL [1] 3:11
 Pauline [1] 193:24
 pause [1] 147:20
 pay [1] 119:24
 Peachtree [3] 3:14, 15, 20
 peer [4] 60:23; 61:13, 20; 67:14
 Pennsylvania [1] 3:9
 People [1] 117:19
 people [39] 11:3; 14:16; 39:11; 63:23; 72:9; 73:18; 76:4; 92:18; 114:3, 13, 21; 116:23; 117:14; 120:16, 20; 123:7; 125:10, 11, 12; 126:23, 25; 137:13; 146:12, 23; 147:5, 7, 10, 18; 148:2, 4; 163:7; 173:6; 179:20; 180:3; 188:14; 201:24; 208:6, 24
 percent [3] 29:18; 64:7; 98:23
 perfect [1] 37:9
 perfectly [2] 197:18; 207:6
 performance [1] 158:12
 performed [2] 136:19, 22
 performs [1] 46:25
 period [19] 8:2; 9:9; 10:14; 15:15, 16; 19:2; 26:23; 57:8; 72:18; 79:16; 80:6; 110:19; 119:8, 10; 128:21; 205:11
 periodically [1] 46:25
 permanent [1] 76:13
 permitted [2] 37:20; 99:4
 person [19] 40:18; 44:17, 18; 45:7; 73:6; 74:24; 75:21, 22; 81:18; 93:22; 105:16, 17; 113:23; 149:25; 163:9; 173:24; 176:19; 178:7; 212:16
 personal [3] 28:6; 134:3; 144:24
 personally [9] 85:15; 110:16, 17; 123:13; 146:14; 149:5, 6; 155:3; 163:20
 personnel [3] 79:22; 105:17; 165:14
 Pfizer [11] 7:19, 20; 8:17, 18, 25; 9:6; 10:9, 17, 20, 22; 23:15
 Ph.D. [11] 17:8; 58:9; 151:5; 152:6, 9, 20; 153:5, 20; 154:17; 155:13; 161:22
 Ph.D.s [1] 152:14
 Ph.D.s. [2] 152:16; 155:8
 pharmaceutical [1] 162:16
 phenomenally [1] 117:24
 Phil [1] 12:14
 philanthropic [1] 110:23
 PHILIP [1] 1:10
 Philip [6] 2:12; 71:22; 82:16; 84:23; 110:24; 166:15
 phone [2] 191:23; 192:3
 phonetic [2] 59:5; 186:21
 photographic [1] 74:11
 phrased [1] 169:15
 physically [1] 70:2
 physiology [1] 66:24
 pick [2] 155:5; 191:23
 piece [1] 143:5
 pieces [1] 45:9
 Pierce [3] 151:11, 23, 24
 pinpoint [1] 156:4
 pipe [11] 30:13, 22, 24; 31:9, 12; 32:2, 5, 7, 11, 15, 16
 Place [1] 2:13

place [2] 75:25; 167:16
 placed [1] 195:21
 placement [2] 11:21; 12:2
 places [1] 41:24
 Plaintiff [2] 94:23; 133:3
 PLAINTIFFS [1] 211:11
 Plaintiffs [8] 1:8, 15; 2:5; 128:9; 130:14; 142:20; 193:5, 6
 plans [2] 25:18; 27:3
 playing [1] 27:9
 Please [1] 6:10
 pleasure [1] 195:17
 PLIMPTON [1] 2:21
 plus [1] 138:6
 Plymouth [1] 102:22
 POGUE [1] 3:13
 point [15] 17:11; 25:6; 27:14; 34:9, 23; 37:11; 38:14; 55:23; 66:17; 104:15; 125:6; 148:18; 159:8; 161:6; 210:15
 pointing [1] 90:19
 policy [8] 79:12; 89:6, 15; 167:7, 16; 168:13, 20; 169:18
 Political [1] 7:6
 politicians [1] 192:25
 politics [1] 192:19
 Pollack [3] 11:4, 8, 21
 Police [1] 78:9
 poor [1] 112:13
 popular [2] 115:15; 122:2
 portfolio [2] 144:20, 23
 portions [1] 128:14
 pose [1] 202:8
 position [28] 8:15, 21; 10:21; 18:15; 19:5; 20:2; 39:17; 42:10; 48:16; 49:22; 50:8; 51:7, 20; 85:17, 20; 129:5, 7; 159:17; 168:13; 182:11; 183:8; 203:9, 10, 12; 206:22, 23; 207:5; 210:10
 positive [6] 80:9; 144:22; 156:18; 157:19; 161:24; 162:3
 possession [1] 79:5
 possibility [1] 39:22
 potential [1] 40:24
 powerful [1] 89:19
 practical [4] 16:17; 25:25; 73:18; 166:5
 practice [5] 6:24; 23:12; 77:5; 119:11; 167:4
 practices [3] 99:25; 102:6; 121:25
 preceded [1] 46:9
 precipitated [1] 102:11
 precise [4] 57:24; 77:19; 101:15; 140:20
 precisely [4] 102:5; 137:20, 21; 140:24
 preclude [3] 21:25; 22:4, 5
 predecessor [2] 12:13; 75:7
 predicated [4] 28:6; 90:11; 209:6; 210:2
 prefaced [1] 168:25
 prefacing [1] 50:25
 prefer [1] 127:2
 preferred [1] 99:18
 pregnancy [1] 47:11
 preliminary [3] 17:15; 82:7; 83:16
 premise [8] 90:14, 15, 20; 111:4, 13; 114:11; 191:8; 209:4
 presence [1] 107:4

Basic Systems Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Look-See(11)

PRESENT [2] 4:7, 9
 present [8] 14:17; 27:14; 42:3;
 60:15; 80:11; 103:23; 156:19;
 193:23
 presentation [3] 61:21; 80:12;
 154:6
 presently [3] 20:15; 42:7; 65:5
 preserve [1] 38:2
 President [84] 4:10; 9:10; 13:9;
 12, 17, 19, 22; 14:3, 9, 23, 25;
 15:2, 4, 7, 9, 24; 18:16; 19:20, 21;
 21:16; 22:11; 24:2, 4; 39:7, 8;
 42:6, 7, 8, 23; 47:7; 48:18; 49:17,
 18; 51:2, 4, 10; 52:9, 11, 19, 20;
 53:7, 12, 23; 54:6, 15, 21; 57:19;
 58:4, 11; 59:4, 8, 11, 14, 18; 69:6;
 72:17; 73:23; 74:6, 16; 78:4; 81:7;
 85:14, 19; 142:5, 9; 158:6; 163:8,
 10, 17, 19; 168:18; 176:9, 17, 18,
 20, 21, 25; 203:15, 17; 205:22;
 208:3, 13
 Presidents [2] 72:4, 20
 press [13] 61:7, 15; 117:5; 167:5,
 18; 168:23; 169:4, 18; 170:25;
 180:5, 9; 181:12
 pressure [1] 121:10
 prestige [1] 79:24
 prestigious [3] 58:13; 182:7;
 206:13
 presumably [3] 27:25; 45:4;
 176:10
 presume [2] 36:2; 114:22
 presumption [1] 28:3
 presuppose [1] 53:6
 pretenders [1] 207:21
 pretty [4] 82:11; 135:16; 185:8;
 198:15
 prevent [1] 164:19
 preventive [1] 164:24
 previously [1] 150:17
 primarily [2] 124:14; 187:25
 primary [3] 98:15; 164:5, 7
 principal [2] 46:3; 188:2
 Principally [3] 104:10; 107:12;
 210:5
 principally [3] 60:10; 154:10;
 210:4
 printed [1] 149:23
 Prior [1] 13:3
 prior [8] 49:17; 58:22; 79:19;
 85:20; 119:9; 130:10; 155:22;
 203:24
 private [1] 23:12
 privilege [40] 17:21; 18:14; 19:4;
 20:5, 18; 21:6, 7, 25; 22:8; 37:4,
 22; 39:13, 23, 24; 40:10, 25;
 41:15, 16; 42:2; 48:13, 14; 51:19,
 25; 89:8, 9, 17; 128:16; 129:25;
 174:7, 21; 175:21; 177:16;
 197:25; 198:7; 201:8; 202:10, 15,
 20; 203:6;
 205:3
 privileged [25] 19:3; 20:17;
 21:24; 40:21; 48:6; 55:22; 86:8;
 87:4; 91:9; 92:19; 94:9; 128:15;
 129:24; 131:6; 132:9; 133:11, 18;
 159:13; 176:14; 177:7; 186:18;
 209:15, 16, 17, 21
 privileges [2] 23:6; 42:18
 privy [1] 98:19
 problem [3] 40:15; 41:12; 175:25

problems [7] 15:13; 52:24;
 66:24; 104:12, 14; 106:10; 114:16
 Procedurally [1] 200:21
 procedure [1] 60:10
 proceed [6] 21:23; 22:15; 42:15;
 52:3; 53:9; 55:10
 proceedings [1] 90:25
 produced [1] 142:13
 produces [1] 162:17
 product [21] 17:20; 20:5; 40:21;
 48:6, 13; 89:8; 91:10; 113:20;
 114:3; 120:8; 126:2; 128:16;
 129:25; 188:14; 189:23; 190:2, 5;
 197:24; 202:15; 208:7
 production [1] 126:23
 Products [1] 42:11
 products [7] 47:9; 111:9; 114:20;
 119:18; 121:4; 123:16
 professional [2] 6:14; 113:5
 program [8] 43:24; 65:22; 66:8;
 67:24; 83:19; 171:5, 6, 24
 project [3] 128:21; 131:18;
 136:22
 Projects [58] 87:6, 9, 12, 16, 23;
 88:5, 7, 14; 91:5, 14; 128:20;
 129:21; 130:13, 19, 23; 131:3, 4,
 9, 21, 25; 132:5; 169:22, 24;
 171:9; 172:2, 5, 11, 13, 17; 173:5,
 7, 10, 12, 17, 20; 174:2, 8;
 178:13, 18; 179:7, 23; 180:19, 25;
 195:22; 196:11,
 15; 198:21; 199:15, 18, 21; 200:2,
 10; 203:20; 204:9, 10, 12, 21;
 211:15
 projects [1] 131:24
 promotion [1] 123:12
 pronouncement [1] 181:11
 pronouncements [1] 182:23
 proposal [2] 30:9; 98:6
 proposals [2] 28:15; 29:8
 proposed [9] 27:2, 15; 28:21;
 29:10, 11, 20; 30:4; 96:14, 17
 protection [2] 111:10; 202:14
 protective [1] 50:16
 prove [3] 135:9; 139:2, 25
 proved [1] 43:19
 proven [7] 46:20; 63:24, 25;
 64:6; 182:13; 191:7; 206:21
 provide [1] 143:19
 provided [1] 128:23
 providing [1] 132:13
 PUBLIC [1] 210:25
 Public [4] 1:21; 6:4; 212:8;
 213:16
 public [39] 24:14; 28:12; 42:21;
 43:3, 21; 44:22, 23; 52:21; 54:9;
 60:13, 21; 64:7; 90:22; 97:15;
 121:10, 16; 122:4, 6; 148:15;
 163:25; 165:7, 11, 25; 167:21;
 168:23; 169:7; 170:25; 174:3;
 180:5, 9; 185:23, 24; 189:18, 19;
 194:19; 195:23;
 196:15; 198:14; 208:6
 publication [5] 61:4, 12, 14, 24;
 67:16
 publications [3] 60:23; 61:20;
 120:23
 publicity [2] 88:23; 137:5
 publicize [2] 61:11, 14
 publicly [2] 149:17; 167:3
 publish [1] 61:11

published [10] 60:23; 61:17;
 67:11; 80:14; 88:18; 109:20;
 110:3; 137:2, 4; 185:5
 publishing [1] 61:19
 puffing [2] 208:6, 7
 Puoplo [1] 193:18
 pure [1] 118:5
 purely [1] 186:18
 purpose [8] 60:6; 62:9; 70:10,
 18; 88:7; 149:12; 166:11; 180:24
 purposes [4] 49:13, 25; 128:12;
 202:14
 pursuant [2] 1:15; 212:11
 purview [1] 130:25
 puts [1] 82:19
 putting [1] 18:18

- Q -

qualified [3] 147:14; 171:5; 212:9
 quantify [2] 181:9, 13
 quarter [1] 195:10
 quash [3] 19:12; 20:10; 23:4
 quashed [1] 50:23
 Queens [3] 7:3; 194:6, 12
 QUENTREL [1] 2:18
 Quentel [2] 1:17; 212:13
 question [132] 5:8; 15:6; 18:13;
 20:14, 17, 22, 23; 21:6; 23:8;
 27:11; 34:6; 35:10; 36:10, 21;
 37:12; 39:20; 40:13, 15; 41:5;
 49:21, 25; 51:24; 52:9; 53:17;
 55:8; 62:13, 22; 63:22; 64:4, 23,
 24; 65:19, 24; 66:2, 3, 4, 5; 72:14;
 73:2; 74:18;
 75:23; 86:4, 6; 94:7; 97:13;
 104:20; 113:25; 114:7; 118:2, 24;
 120:3; 121:15; 122:21, 25;
 123:23; 124:4, 9; 131:6, 14, 17;
 132:20; 133:7, 17, 23; 134:8;
 135:13; 136:8; 137:10; 138:5, 17;
 141:9, 15, 21, 22; 145:14; 146:25;
 147:25; 149:12; 162:13; 167:23,
 24;
 168:6, 11, 25; 169:14; 170:2;
 171:12, 19; 172:19, 25; 174:20;
 175:5, 18, 23, 24; 181:24; 184:15;
 185:6, 9; 186:7, 16; 188:25;
 189:9; 190:11; 191:12; 194:21,
 25; 195:25; 196:3, 19; 197:12, 13;
 198:6, 8, 11, 23, 24; 199:4, 7;
 200:6; 202:5, 9; 203:7; 204:18,
 25; 205:6; 207:13; 208:10, 18
 questioned [1] 188:25
 questioning [3] 36:17; 189:24;
 202:23
 questions [35] 21:23; 22:2, 5, 6;
 25:24; 37:3, 14, 15; 39:4, 15;
 41:3; 42:16, 17; 49:2, 15; 50:9,
 25; 53:5, 10, 18; 54:18; 89:10;
 123:9; 127:9, 13; 128:18; 129:9;
 130:2; 177:10, 21; 191:13;
 193:12; 205:8; 210:7, 16
 quit [12] 101:24; 102:3; 103:11,
 15, 16; 104:17; 123:20; 146:13,
 19; 188:10; 189:6
 quitting [2] 12:17; 102:11
 quote [4] 112:12, 14; 121:9;
 205:20
 quotes [2] 111:21; 128:14

- R -

R-a-a-m [1] 59:15
 R-a-t-t-e-r [1] 109:10
 R.J. [6] 59:17; 71:7; 112:6;
 144:21; 149:2, 5
 Raam [3] 59:15, 16, 21
 Railroad [6] 7:18, 24; 8:5; 9:16;
 10:6; 23:15
 raise [1] 38:15
 raised [1] 105:10
 raising [2] 90:17; 105:7
 rare [2] 154:5; 158:21
 rarely [2] 82:2; 110:20
 rats [15] 137:14, 15, 16, 18, 19,
 23; 138:24; 140:8, 9, 11, 12, 22,
 24; 141:4
 Rather [1] 109:9
 reach [3] 19:13; 165:12; 192:6
 reaches [1] 46:23
 read [36] 27:12; 47:17, 19; 48:3,
 9, 19; 49:8; 51:23; 52:16; 55:9;
 67:4, 6, 13, 15; 90:10; 113:2;
 119:15; 123:5, 8; 126:21; 147:17,
 21; 149:21; 170:24; 180:6; 184:9,
 15; 196:2, 4; 198:9, 24; 199:2;
 201:25; 207:19, 24, 25
 reading [7] 51:13; 55:8; 67:18,
 21; 68:3, 4; 119:8
 reads [5] 48:25; 185:24; 186:2;
 197:6
 reaffirmed [1] 76:2
 Real [1] 8:9
 real [3] 9:5; 49:4; 96:9
 reason [14] 38:24; 75:12, 13, 14;
 119:21, 24; 121:6, 24; 159:2;
 166:16; 167:15; 172:16; 182:4;
 189:21
 reasonable [1] 166:22
 reasonably [1] 148:19
 reasons [7] 107:2, 3; 120:6;
 124:14; 126:3; 195:18; 206:15
 REAVIS [1] 3:13
 recall [12] 27:22; 58:8, 10, 17;
 71:14; 78:13; 98:3; 116:7; 125:4;
 156:22; 158:9; 171:25
 recalled [1] 150:16
 receive [1] 143:13
 received [4] 26:25; 80:5; 88:23;
 197:23
 receives [1] 62:18
 recently [1] 104:2
 recess [3] 86:15; 150:9; 191:20
 recite [2] 182:16; 185:4
 recollection [7] 95:17; 99:22, 24;
 102:8; 116:10; 146:18; 171:22
 recommend [1] 148:15
 reconstructed [1] 148:23
 record [19] 17:12; 27:12; 76:13;
 95:21; 128:13; 129:15; 130:8;
 150:8; 174:12, 13; 196:4; 198:9;
 199:2; 200:22; 201:21, 23;
 202:18; 204:24; 212:24
 reduced [1] 212:22
 refer [2] 50:11; 87:2
 reference [2] 87:20, 22
 references [1] 208:11
 referred [3] 139:10; 183:9;
 188:24
 referring [3] 86:20; 110:22; 111:2
 reflect [2] 130:8; 174:14

STERLING REPORTING SERVICE, INC.

(212) 267-4150

From PRESENT to reflect

682705701

Basic Source Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Lexis-Nexis

refrained (1) 120:10
 refreshed (1) 95:17
 refusing (1) 197:13
 regard (4) 84:16; 98:16; 99:25;
 123:25
 regarding (4) 124:3; 131:4;
 172:2; 208:14
 regardless (1) 201:25
 regular (8) 22:16; 85:4; 113:7, 9;
 158:16; 163:2; 181:9; 192:14
 regularity (1) 103:8
 regularly (1) 117:18
 regulation (1) 27:15
 rehash (1) 91:3
 reinforced (1) 43:4
 reinterviewed (1) 158:6
 reject (1) 209:3
 rejected (2) 191:8; 209:7
 rejecting (1) 191:9
 relate (2) 56:3; 127:9
 related (6) 24:16; 52:21; 54:10;
 66:10; 144:9; 213:4
 relates (6) 68:7; 70:13, 15; 83:19;
 147:23; 187:24
 relating (1) 162:7
 relation (2) 68:6; 96:22
 relations (1) 24:13, 14, 17, 19,
 22; 26:9; 54:8, 9, 19; 96:20; 97:15
 relationship (5) 13:5; 24:21;
 47:23; 102:18; 192:2
 relationships (2) 52:22
 relative (4) 106:14; 107:10;
 188:11; 213:7
 relatives (3) 189:2; 194:8
 release (2) 61:7; 181:12
 releases (1) 61:15
 reluctantly (1) 201:13
 remain (1) 128:15
 remained (1) 14:13
 remains (2) 63:22; 120:8
 remarry (1) 100:3
 remember (13) 13:23; 95:25;
 101:15; 103:7; 107:9; 116:25;
 117:11, 14; 149:17, 19, 24; 151:4;
 183:20
 removal (1) 31:8
 removed (2) 31:2; 201:13
 repeat (1) 64:3
 repeatedly (1) 204:20
 replace (1) 123:20
 replacing (1) 124:8
 replicated (3) 135:24; 136:3;
 189:15
 replication (1) 139:10
 report (26) 16:6, 8; 17:3; 48:25;
 49:9; 55:25; 61:2, 5; 67:8, 12;
 76:7, 8; 79:20; 80:5; 93:10, 18,
 19, 20, 22; 145:9; 165:2; 167:3, 4;
 182:18; 184:9; 185:24
 reported (2) 137:12; 180:5
 Reporter (2) 1:20; 212:7
 reporters (1) 206:10
 reporting (1) 160:8
 reporting-type (1) 78:16
 reports (22) 16:4; 47:18, 20, 22;
 48:3, 4; 51:14, 23; 55:9, 13, 15,
 20; 76:14, 16, 17, 20; 93:20; 94:2;
 109:17; 117:5; 180:9; 186:2
 represent (1) 76:4
 representation (1) 93:12
 representative (8) 22:3; 73:10;

74:20, 24; 75:15, 17, 21, 22
 representatives (4) 71:9; 72:7;
 73:3; 74:4
 representing (1) 95:5
 require (3) 38:25; 85:7; 170:2
 required (4) 18:24; 21:8; 36:24;
 37:2
 requirements (1) 19:14
 Research (51) 2:22; 17:2; 18:11,
 20; 21:2; 39:7; 40:4; 42:25; 48:18;
 49:20; 51:12, 22; 53:4; 56:11, 19;
 57:2; 60:25; 62:4; 69:3, 7, 19;
 70:9; 71:16; 76:5; 78:9; 88:13, 15;
 91:6; 109:14, 21; 131:22; 132:24;
 136:10; 137:6; 160:7; 164:25;
 169:7,
 21; 175:12; 184:23; 187:8;
 198:20; 203:4; 205:17, 23; 206:9,
 23; 207:7; 208:5, 21; 209:25
 research (42) 17:10; 58:10, 13;
 60:8, 22; 64:25; 65:9, 16, 22, 23,
 25; 66:17; 67:4, 6, 24; 73:6;
 74:23; 80:13; 88:15; 90:15;
 109:20; 123:6, 9; 128:22, 23;
 130:18; 148:20; 160:21; 161:7;
 165:3, 14; 166:6; 171:24; 175:13;
 176:11; 178:10; 185:2,
 5; 191:12; 195:20; 199:22
 researched (1) 65:12
 researcher (2) 80:11; 128:20
 researchers (4) 60:11; 110:3;
 131:24; 136:20
 researching (2) 63:6; 65:5
 reserve (1) 112:12
 reserved (1) 5:8
 resources (2) 105:15; 166:9
 respect (23) 17:4; 24:8, 24;
 28:14; 43:6; 74:3; 83:18; 94:19;
 96:21; 99:9; 109:21; 110:22;
 119:14; 134:6; 137:13; 147:19;
 160:9; 164:10, 13; 166:17;
 167:21; 181:11; 188:21
 respected (1) 207:19
 respective (1) 5:6
 respiratory (3) 66:11, 23; 135:20
 respond (7) 117:16; 139:15;
 167:5; 170:5; 199:4; 208:22;
 209:10
 responding (1) 27:3
 response (2) 122:6; 186:9
 responsibilities (13) 14:2, 4, 6;
 15:13; 17:4; 24:6, 7; 51:6; 70:20;
 93:25; 159:24; 160:4, 9
 responsibility (10) 24:12, 13, 15,
 20; 67:23; 84:4; 93:11; 96:19;
 163:14; 188:2
 responsible (1) 93:6
 responsive (1) 196:6
 restate (1) 49:20
 restaurant (1) 26:21
 restaurateurs (1) 28:11
 restaurants (3) 27:21; 28:2, 23
 restricting (1) 94:22
 restrictions (1) 120:18
 result (6) 87:2; 132:7; 133:4;
 139:24; 185:5; 209:20
 results (12) 67:4, 6; 109:20, 24;
 110:5; 136:15; 137:3; 165:10;
 166:7; 185:3, 4; 199:22
 resume (1) 11:25
 resumed (1) 150:15

retain (1) 79:3
 retire (1) 187:9
 retired (6) 103:24; 187:7, 12, 16;
 188:5; 194:4
 retiree (1) 59:17
 retiring (1) 12:17
 retreat (1) 104:9
 Retreats (1) 104:9
 return (2) 192:7, 11
 reversal (1) 201:17
 reversed (2) 200:14, 18
 review (7) 60:23; 61:14, 20;
 67:14; 79:14; 82:7; 83:17
 reviewed (3) 27:2; 41:14; 201:7
 reviewing (1) 84:12
 reviews (1) 177:5
 revisited (1) 210:12
 Reynolds (12) 59:17; 60:2; 71:7,
 22; 84:24; 112:6; 113:6; 144:21;
 149:2, 5, 16; 189:3
 Right (2) 23:24; 190:7
 right (16) 32:10; 34:25; 37:10;
 60:14; 112:13; 145:20, 21;
 158:10, 23; 159:9, 14; 177:20, 23,
 25; 188:13; 203:11
 rising (1) 207:21
 risk (3) 48:12; 176:2; 182:13
 risks (3) 114:16, 18, 20
 RJR (1) 3:14
 Robert (1) 186:21
 role (50) 14:5; 16:23; 17:25;
 19:24; 22:24; 24:7; 27:8; 38:16;
 39:25; 40:7, 20; 41:6; 42:6, 9;
 49:16, 17, 19, 23; 50:18, 20, 25;
 51:6, 9; 52:12; 53:19; 54:4; 55:20;
 56:7; 60:14; 83:20; 85:14; 86:5;
 87:9, 13; 91:8; 94:12, 14; 98:7, 9,
 16; 124:2,
 5; 129:22; 132:13, 17; 157:10;
 160:24; 169:23; 180:16; 199:21
 roles (1) 50:2
 Ronald (1) 14:20
 room (3) 68:16; 137:15, 16
 ROSE (1) 3:3
 ROSEN (1) 2:18
 Rosen (2) 1:17; 212:13
 ROSENBLATT (1) 86:17
 Rosenbaum (1) 145:5
 ROSENBLATT (74) 2:4, 7, 8;
 6:9; 18:7; 19:19; 20:13; 21:14;
 22:7; 23:5, 10; 37:2, 18; 39:5;
 41:13, 23; 42:19; 48:15, 23; 50:6;
 51:9; 52:18; 53:21; 54:3; 55:11;
 86:13; 92:3; 94:6; 96:12; 110:17;
 111:3; 125:17; 127:8, 23; 128:17;
 129:4, 13; 130:6,
 16; 131:11; 134:4; 135:14;
 142:15, 22; 145:17, 22; 150:5, 21;
 159:7, 14; 174:13, 17; 175:4, 8,
 11, 17; 176:8; 177:15, 25; 178:2;
 179:19; 190:14; 194:22; 195:5, 8;
 197:2, 15; 200:11, 16, 20; 203:2,
 19; 205:12; 210:6
 Rosenblatt (2) 157:3; 211:6
 roster (3) 45:15, 18, 20
 roughly (1) 82:21
 RUSSO (1) 3:24

S.W. (1) 15:23
 SAB (16) 80:6; 130:25; 150:25;
 151:19; 153:4; 154:5; 155:2;
 170:22, 25; 171:2, 21, 23, 24;
 172:2, 10; 173:4
 salaries (1) 84:3
 salary (4) 84:8; 113:19; 142:2;
 143:12
 sales (5) 117:23; 119:23; 160:10;
 176:20, 21
 saleswoman (1) 108:4
 sample (6) 136:2; 139:7; 140:9,
 18, 20
 Sandefur (1) 84:25
 Sarokin (27) 88:23; 89:2, 18;
 90:11, 13, 20, 23, 24; 91:18; 92:6,
 10; 127:14, 25; 128:8, 13; 168:14;
 169:2, 8; 170:17; 200:15, 17, 24;
 209:6, 7, 12; 210:3; 211:12
 sat (1) 99:4
 satisfactory (1) 140:6
 satisfied (1) 158:11
 satisfy (1) 138:2
 Sato (1) 153:8
 saying (22) 42:10; 43:13; 46:19;
 53:24; 54:12; 65:25; 73:2; 98:5;
 121:23; 126:6; 140:21; 180:15;
 182:14; 184:3; 188:10; 189:25;
 190:4, 20; 191:6, 9; 201:14; 202:4
 scale (2) 135:19; 189:15
 schedule (1) 161:13
 School (2) 7:10; 11:21
 school (3) 7:9; 58:16; 194:15
 science (7) 7:6; 63:3; 68:6;
 135:9; 138:11, 19; 139:19
 Scientific (28) 59:10; 68:2; 69:2;
 85:21; 130:25; 150:25; 151:8, 13;
 152:12; 153:21, 22; 154:3, 15;
 155:6, 18; 157:5, 8, 9, 12, 15, 17,
 23; 170:12, 19; 171:8; 172:4, 16
 scientific (22) 47:15; 55:14;
 59:13, 24; 60:7; 61:6, 16, 22;
 62:16, 20; 75:21; 81:21; 109:22;
 134:11; 135:19, 25; 136:5;
 137:13; 138:10; 139:9; 182:21;
 189:14
 scientifically (5) 43:18; 46:20;
 47:2; 134:20; 135:4
 scientist (2) 57:24; 139:4
 scientists (2) 45:16; 182:24
 scope (9) 15:10, 12; 25:19;
 26:25; 53:22; 54:24; 66:17; 124:4;
 162:15
 sealing (1) 5:17
 seat (1) 99:8
 second (9) 19:6; 22:14; 35:9;
 73:5; 74:22, 24; 129:11; 130:7;
 184:13
 secondarily (1) 124:17
 secondhand (2) 133:5; 145:11
 secret (1) 204:14
 secretary (5) 78:8; 105:12;
 193:17, 22, 23
 section (3) 29:2; 99:5, 19
 seeking (1) 202:6
 selected (1) 75:8
 sell (1) 189:23
 seller (1) 46:4
 selling (2) 63:22; 182:5
 sells (1) 190:2
 Senate (2) 191:24; 192:17

- S -

S-m-e-o-n-t-d-i-s (1) 14:22

682705702

Basic Systems Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Coordinator by Look-Said (L)

send (1) 73:17
 Senior (31) 13:9, 11, 18; 15:4, 7; 18:16; 23:25; 24:4; 39:8; 42:6, 7; 48:18; 49:16; 52:18, 19; 53:7, 12, 23; 54:5, 15; 142:5, 8; 168:18; 176:8, 17, 18, 19, 21; 203:14; 205:22; 208:3
 senior (9) 16:22, 25; 74:23; 75:20, 22; 101:5; 160:6; 167:9
 seniority (4) 51:8; 52:10; 53:14, 17
 sense (11) 31:20; 40:18; 98:10, 13; 110:8; 117:23; 147:11; 164:9, 15; 165:24; 207:17
 sensitive (2) 89:7, 11
 separate (7) 28:8; 38:22; 41:11; 54:4; 87:21; 165:17; 196:6
 series (1) 127:9
 seriously (1) 145:9
 served (4) 8:6, 7, 8, 9
 service (1) 8:3
 services (1) 12:19
 serving (1) 83:23
 setting (2) 28:7; 196:14
 seven (2) 45:24; 99:24
 seven-year (1) 10:14
 shape (1) 135:16
 share (2) 82:21; 144:14
 shares (3) 143:25; 144:7, 10
 sharpest (1) 145:23
 SHOOK (1) 2:11
 Shook (1) 93:17
 shook (1) 112:11
 shopping (1) 28:23
 shorthand (2) 78:15, 17
 show (4) 47:23; 55:16; 111:20; 128:25
 siblings (2) 100:19; 103:8
 sick (1) 208:7
 sides (1) 109:25
 signed (2) 5:11, 15
 significance (2) 13:21; 125:14
 significantly (1) 10:16
 silliness (2) 49:4; 50:11
 Simeonidis (1) 14:21
 simple (1) 185:20
 simplicity (1) 49:14
 simplistic (1) 140:20
 sincere (1) 174:9
 single (6) 87:11; 116:17; 148:23; 163:9; 185:11; 200:9
 sir (48) 6:21; 12:9, 23; 15:3; 16:16; 29:19; 32:21; 33:21; 34:18; 60:19; 62:11; 65:11; 66:3; 70:24; 71:4; 74:13; 75:12; 76:18; 78:22; 81:9; 85:6; 96:6, 8; 98:9; 101:11; 106:9, 11, 13; 143:20, 22; 145:4; 151:25; 153:12, 14, 16, 24; 154:22; 158:7; 169:2; 170:10; 183:23; 187:4; 188:8; 191:8; 192:22, 24; 194:10, 14
 sister (5) 100:24; 102:23; 103:14; 105:4; 108:19
 sisters (1) 100:23
 sit (4) 30:7; 41:2; 55:3; 82:6
 sitting (1) 204:23
 situation (6) 29:4; 34:19; 36:2, 23; 112:8; 167:21
 six (7) 45:24; 81:16; 103:2; 137:17; 140:22; 163:21, 22
 size (4) 13:25; 139:7; 140:18, 20
 Slash (1) 142:11
 SMITH (1) 3:21
 smoke (35) 30:12; 32:6; 33:6, 15, 20; 35:7; 99:12, 15, 20; 101:13; 102:2; 103:9; 107:5, 14, 15; 112:10; 113:24; 114:3; 118:14; 133:5; 137:17, 20, 22; 138:2; 139:2; 140:2, 11, 22; 141:3, 6; 145:8, 11; 184:10; 186:5; 189:20
 smoked (17) 30:15, 16; 32:24; 33:8; 99:21; 100:10, 13, 15; 101:8, 16, 18; 102:9; 103:8; 106:20, 21; 118:13; 194:18
 smoker (24) 30:10, 13; 32:2, 5, 8, 11, 13, 14, 15, 23; 33:4; 100:11, 14; 101:6, 9, 10, 23; 103:3, 5; 106:18; 107:13; 108:10; 109:5; 188:12
 smokers (9) 28:8, 12; 107:19; 123:20; 124:8, 15; 125:8; 195:14, 16
 smoking (93) 26:21; 27:21; 28:18, 21; 29:2, 15; 30:5, 22, 24; 31:9, 12; 33:25; 35:6; 38:4, 13, 19; 40:5; 42:22; 43:2, 6, 9, 16, 18; 44:2, 25; 45:5, 6; 46:11, 16; 47:9; 55:16, 17, 25; 56:3; 62:14, 22; 63:12; 64:8; 65:6; 66:6, 10, 13, 20; 68:7; 94:24; 96:14, 18; 97:3; 98:16; 99:3, 18; 101:23; 102:6, 18; 104:17, 20, 23; 106:22; 109:18; 113:22; 114:19; 118:13; 124:19; 125:23; 133:4, 25; 134:11, 17, 22, 25; 136:8; 146:6, 9, 13, 24; 147:3, 6; 160:22; 167:22; 181:20; 183:11; 184:24; 185:13; 186:13; 189:6; 18; 190:6; 195:17; 204:16; 205:19; 207:8
 so-called (1) 44:2
 Society (4) 181:17; 182:8; 186:2; 207:4
 solely (3) 26:6; 67:25; 210:2
 Solicitor (1) 8:9
 solved (1) 63:18
 somebody (2) 190:18; 197:6
 somehow (5) 22:12; 54:20; 111:8, 10; 126:7
 someone (13) 41:16, 25; 93:19; 107:9; 113:21; 116:8; 133:23; 148:15; 180:14, 17; 183:15; 188:20; 194:22
 somewhere (4) 33:18; 144:16; 186:25; 202:24
 sophisticated (1) 37:7
 sophistication (1) 49:6
 sorry (7) 15:5; 59:7; 64:3; 84:17; 85:17; 118:8; 150:2
 sort (4) 25:21; 29:23; 62:2; 151:22
 sound (1) 136:6
 source (2) 111:24; 179:21
 sources (5) 17:21; 25:7; 148:24; 177:8, 9
 space (2) 29:16; 143:16
 spaces (1) 28:8
 SPALDING (1) 3:19
 speak (2) 89:24; 124:11
 Speaking (1) 37:20
 speaking (3) 37:18, 23; 68:6
 Spears (25) 15:23; 16:4, 8, 10, 18, 23; 17:6; 71:2; 73:13, 23; 75:8, 14; 156:4; 158:15; 159:2, 18; 161:10; 177:6; 178:6, 8, 23; 179:10; 181:3; 186:10, 12
 Special (62) 42:11; 87:6, 8, 12, 16, 23; 88:5, 6, 14; 91:4, 13; 128:19; 129:21; 130:13, 19, 23; 131:3, 4, 9, 21, 25; 132:4; 169:22, 23; 171:9; 172:2, 5, 11, 13, 17; 173:4, 7, 9, 12, 17, 20; 174:2, 8; 178:13, 18; 179:7, 23; 180:19, 25; 195:21; 196:11, 14; 198:21; 199:15, 18, 20; 200:2, 10; 201:4, 7; 203:20; 204:4, 8, 10, 12, 21; 211:15
 special (2) 131:18; 165:4
 specialty (5) 58:9; 69:12; 109:3; 151:15; 152:5
 specific (11) 21:6; 26:19; 40:13; 41:5; 62:23; 79:10, 14; 91:23; 116:8; 117:13; 148:23
 specifically (8) 28:14; 29:14; 72:11; 107:6; 117:11; 149:10; 204:13; 206:17
 specificity (2) 29:9; 109:19
 specifics (1) 30:8
 specified (1) 46:13
 specify (1) 149:13
 spectator (1) 96:2
 spectrum (1) 66:7
 speculate (6) 34:8; 35:14, 15; 74:9; 120:4; 169:17
 speculating (1) 74:8
 Speculation (1) 118:21
 speculation (23) 34:6; 35:13; 36:18, 25; 97:13; 114:9; 118:6, 7, 10, 22; 120:3; 123:3; 133:17; 135:13, 15; 138:7; 140:15; 141:11; 145:15; 169:14; 174:21; 181:24; 189:10
 speculative (3) 118:25; 122:11; 186:19
 spell (1) 14:21
 spending (2) 63:5; 155:4
 spent (5) 64:21; 68:19; 85:8, 9; 115:3
 spinning (1) 129:6
 spite (1) 206:24
 split (1) 43:21
 sponsored (1) 136:14
 sports (5) 115:15; 116:3, 8, 19; 119:22
 spring (1) 116:19
 ss (1) 212:4
 staff (3) 13:25; 84:3, 8
 Stan (1) 115:20
 stand (4) 6:12; 82:25; 113:9; 208:5
 standpoint (5) 43:8; 47:7; 125:16, 18; 134:3
 STANLEY (2) 2:4, 7
 start (2) 34:22; 127:12
 started (1) 30:22
 starting (1) 31:21
 STATE (1) 212:4
 State (3) 1:21; 162:2; 212:10
 state (12) 6:10; 17:12; 26:10; 27:17; 30:5, 6; 50:7, 8; 164:13, 20; 192:20; 206:25
 stated (4) 53:5; 72:22; 201:10; 204:20
 statement (9) 47:12; 87:22; 113:13; 206:3, 4, 5, 18; 207:19; 209:3
 statements (5) 27:14; 88:24; 127:16; 202:24; 208:23
 States (2) 112:18; 181:19
 states (1) 205:16
 stating (1) 6:5
 stationery (4) 142:7; 143:2, 3, 5
 statistical (6) 43:5, 15; 46:17; 134:15, 16; 182:12
 statistician (2) 161:17, 20
 statistics (2) 159:22; 185:25
 status (5) 14:12; 85:25; 86:6, 19; 94:3
 stay (1) 124:19
 stayed (1) 8:22
 stems (1) 185:3
 Stenotype (2) 1:20; 212:7
 STEVENS (3) 1:15; 210:20; 212:17
 Stevens (27) 6:11; 17:13, 23; 18:7; 38:3, 16, 18, 22, 24; 39:10; 43:8; 49:8; 51:3; 64:12; 86:18, 24; 92:16; 127:15; 128:18; 129:20; 130:9; 132:5; 150:22; 176:4; 183:4; 185:21; 211:6
 STIPULATED (3) 5:4, 10, 16
 stock (3) 143:23; 144:8, 17
 stop (8) 45:2, 3, 6; 100:6; 121:23; 147:3, 6, 12
 stopped (9) 31:15, 24; 99:22; 100:11, 13; 104:23; 121:12; 122:7; 146:23
 story (1) 188:19
 straight (3) 196:14; 201:22; 202:18
 straighten (1) 168:19
 straighter (1) 201:24
 strategy (5) 27:3, 5, 13; 123:19; 124:7
 Street (26) 2:5, 13; 3:15, 20; 6:5, 19; 10:19; 61:25; 88:10, 19; 90:4, 10, 14, 21; 166:25; 170:15; 171:20, 22; 173:25; 205:13, 16; 206:11; 207:25; 208:22; 209:5, 24
 stresses (1) 126:5
 striking (1) 113:6
 strong (1) 89:19
 studied (1) 55:20
 studies (12) 46:25; 47:4, 5, 23; 55:14; 109:13; 135:20, 25; 182:12, 19, 20; 184:22
 study (10) 135:23; 136:11, 12, 14, 15, 18; 137:2; 185:11; 200:9
 stupid (3) 112:14; 114:13, 23
 subject (24) 43:22; 44:20; 45:17; 54:25; 56:15; 60:12; 61:3, 7, 21, 24; 62:17; 63:16; 67:11, 16; 119:19; 122:23; 123:5; 137:5; 163:13; 165:25; 179:18; 180:4, 14
 subjects (1) 44:22
 Subscribe (1) 110:8
 subscribe (1) 110:6
 Subscribed (1) 210:21
 substance (3) 17:24; 22:19; 206:5
 substantial (1) 105:5
 suburb (1) 194:7

STERLING REPORTING SERVICE, INC.

(212) 267-4150

From send to suburb

682705703

Basic Systems Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Lock-Sex(14)

suburban (1) 187:2
 success (1) 77:22
 successfully (2) 146:20; 147:5
 Succession (3) 83:25; 84:13, 22
 sufficient (1) 135:18
 sufficiently (1) 135:24
 suggest (4) 21:22; 44:11; 114:22;
 145:11
 suggested (1) 122:3
 suggestion (3) 22:10; 42:16;
 201:6
 suggests (1) 123:7
 suited (1) 76:4
 Summer (1) 31:6
 Summers (1) 59:5
 Sunday (2) 110:13
 super (1) 138:21
 supervision (3) 93:6, 25; 212:23
 supervisor (2) 9:15; 15:17
 supervisory (1) 13:25
 supplied (2) 60:9; 71:25
 supply (1) 68:12
 support (3) 71:18; 110:22;
 134:16
 supposed (2) 45:2; 125:21
 Supreme (1) 95:7
 Surgeon (24) 45:14; 46:10, 22,
 23; 47:8, 17, 19, 22; 49:8; 51:13,
 23; 55:8, 12, 15, 24; 63:9; 109:17;
 167:3; 181:19; 182:18; 185:24;
 186:11; 188:13; 206:24
 surgeon (1) 109:4
 surgery (2) 31:22; 102:16
 surprise (1) 112:20
 survey (1) 146:22
 surveys (1) 195:14
 Susan (1) 127:10
 suspect (2) 29:20; 138:9
 Swain (3) 154:24, 25; 155:2
 sworn (6) 5:12, 15; 6:3; 150:18;
 210:21; 212:17
 system (1) 135:20

- T -

T-t-s-c-h (1) 15:19
 takes (1) 111:5
 talk (11) 26:8; 86:7; 100:25;
 133:20; 147:14; 165:20; 168:20;
 169:18; 177:5; 181:10; 198:18
 talked (5) 54:3; 114:17; 170:14;
 180:2; 205:14
 talking (16) 29:2; 52:24; 66:7;
 77:10, 12, 13; 78:25; 86:20;
 119:8, 9; 148:8; 157:4; 162:19;
 168:15; 183:15; 209:25
 talks (1) 177:6
 tar (18) 124:22, 24; 125:10, 11,
 14, 22; 126:2, 4, 6, 7, 8, 11, 15,
 16; 127:2, 3
 taste (4) 31:23; 126:17; 127:2;
 162:21
 Teaneck (1) 106:3
 technical (2) 80:14; 178:4
 Ted (2) 115:20; 186:10
 telephone (4) 83:18; 160:12, 14;
 191:24
 television (3) 149:8, 21, 25
 telling (10) 29:19; 36:5, 8; 44:5,
 7; 88:2; 103:18; 121:18; 139:16;
 178:15

ten (4) 45:21; 109:17; 163:21, 22
 tendency (1) 77:21
 tenure (1) 59:20
 term (2) 44:24; 59:20
 terminated (1) 12:19
 terminology (1) 32:7
 terms (19) 7:15; 13:20, 24; 15:20;
 17:9; 32:8; 47:21; 60:3; 79:10;
 107:17; 126:3; 132:13; 137:10;
 166:3; 193:7; 201:7, 18; 210:13,
 14
 terrific (1) 174:10
 testified (20) 6:7; 53:21; 54:23;
 150:18; 154:9; 159:19, 23; 160:5;
 165:9; 178:16; 181:2; 183:6, 7,
 13; 189:12; 196:9; 199:16;
 206:15; 209:4
 testify (7) 17:24; 20:2; 25:11;
 55:2, 4; 112:18; 212:17
 testimonials (1) 120:21
 testimony (10) 25:19; 53:24;
 64:17; 141:4; 146:17; 168:7;
 190:12, 19; 207:15; 212:24
 testing (2) 139:6; 189:15
 tests (2) 47:2, 15
 Thank (1) 95:16
 Theaters (1) 11:11
 theory (1) 28:6
 thereupon (1) 212:21
 Third (4) 2:22; 200:13, 23; 201:25
 third (1) 42:2
 Three (1) 14:18
 three (13) 32:16; 54:7; 69:17;
 70:4; 78:25; 79:2; 81:15; 128:3, 8;
 158:18; 160:17; 187:14; 211:13
 threshold (1) 147:15
 thrust (4) 27:19, 23; 28:2; 88:12
 thyroid (2) 31:2, 8
 TI (2) 165:5; 166:10
 Times (7) 61:25; 110:7, 19;
 111:18; 166:25; 168:14; 169:6
 times (12) 32:16; 51:15; 69:17,
 18; 70:4; 102:9, 10; 158:18;
 160:17; 163:21; 181:14; 187:14
 tipping (1) 37:6
 Tisch (16) 15:19, 21; 16:7; 39:21;
 71:5, 13; 75:2, 17, 18; 76:7;
 77:14; 113:24; 175:24; 177:11,
 20; 179:2
 title (18) 9:7, 8, 10; 11:8, 12; 13:9;
 14:12; 16:13, 24; 23:25; 51:4;
 53:13; 54:21; 58:12; 59:10;
 128:21; 203:16
 titled (1) 128:19
 TOBACCO (1) 1:14
 Tobacco (76) 2:12, 22; 3:9; 4:5;
 18:10, 19; 21:2; 39:7; 40:4; 42:25;
 48:17; 49:19; 51:12, 22; 53:4;
 56:11, 19; 57:2; 60:25; 62:3; 69:3,
 7, 19; 70:9; 71:16, 23; 76:5; 78:9;
 88:13, 15; 91:5; 97:19; 98:11, 15,
 22, 23; 109:14, 21; 112:6; 131:22;
 132:24; 136:10; 137:6; 142:24;
 143:10; 149:5; 162:23; 163:4, 8,
 13, 17, 20, 24; 164:4, 25; 165:3,
 12, 13, 16; 166:3; 169:7, 20;
 181:7, 13; 184:23; 187:8; 198:20;
 203:4; 205:17, 23; 206:9, 23;
 207:7; 208:5, 20; 209:25
 tobacco (69) 25:3; 27:24; 31:25;
 39:15; 45:13; 49:7; 60:8, 9; 63:10,

20; 68:11; 71:18, 20; 73:4; 74:20,
 21; 81:7; 88:18, 25; 90:23; 97:5,
 17; 98:18; 111:22; 112:9; 113:17;
 115:3, 14; 121:21; 123:19;
 133:24; 135:15; 144:17; 148:7,
 12, 22; 149:3,
 18; 159:22; 162:4, 7, 11, 13, 18,
 19; 163:25; 164:3, 20; 166:12;
 170:18; 173:24; 175:14; 178:5;
 182:10, 15; 183:14, 16; 188:20;
 189:24; 194:9; 195:20; 198:19;
 199:23; 201:11; 204:15; 206:24;
 207:18, 22; 208:24
 Tom (2) 84:25; 192:13
 topics (1) 89:11
 total (1) 85:7
 totality (1) 86:24
 totally (4) 29:11; 36:2; 41:19, 20
 touching (1) 212:19
 towards (1) 122:9
 trace (1) 7:13
 trade (7) 24:21; 25:7, 14; 164:2;
 166:13, 18, 23
 traded (1) 144:15
 trained (2) 159:20; 162:6
 training (2) 60:3; 159:21
 transcribed (1) 78:24
 transcript (2) 78:19; 197:5
 TRAURIG (1) 2:18
 Traurig (2) 1:16; 212:12
 travel (1) 85:10
 traveling (2) 18:21; 99:7
 treatment (1) 113:4
 trial (2) 5:9; 132:12
 trouble (1) 95:14
 True (1) 46:2
 true (30) 29:17; 46:19; 54:13;
 55:12; 59:7, 8; 64:2; 94:19;
 137:25; 141:7; 143:2; 147:7, 19;
 152:11; 153:3; 170:21; 171:7;
 174:4, 6; 195:19; 205:20, 24;
 206:3, 4, 6, 18, 19; 208:8; 212:24
 truth (5) 134:11, 21; 185:20;
 212:18
 twenty (1) 78:25
 Twice (1) 80:25
 twice (3) 70:4; 80:23, 24
 two-year (1) 15:15
 type (1) 154:6
 types (3) 39:15; 42:3; 63:16

- U -

U.S. (2) 4:5; 192:16
 U.S.A. (1) 2:22
 ultimate (1) 93:11
 unable (3) 64:24; 146:10; 185:6
 unacceptable (1) 111:14
 Uncomfortable (1) 99:16
 uncomfortable (5) 77:20; 99:15,
 17; 107:4; 169:23
 unconnected (2) 14:4; 45:12
 underlying (1) 111:4
 understand (29) 23:11; 26:9;
 28:25; 36:20; 43:13; 58:21; 61:13;
 65:15; 72:17; 73:12; 101:23;
 103:21; 113:4; 114:7; 118:3;
 123:6, 16; 130:3; 135:25; 141:14;
 144:3; 152:13; 168:10, 12;
 175:22; 184:6; 203:12; 206:2;
 207:17

understanding (25) 12:19; 16:3;
 20:13; 43:20; 46:23; 57:23; 60:5;
 62:8; 65:5; 86:23; 109:24; 126:18,
 25; 127:12; 129:20; 132:4;
 136:13, 21; 141:16; 159:16;
 182:17, 22; 187:15; 195:15;
 209:23
 understood (5) 139:23; 141:4,
 22; 171:12, 19
 unequivocally (1) 71:13
 unfair (1) 114:24
 unhappiness (2) 122:5; 149:18
 unhealthy (2) 38:13; 43:9
 uniformly (1) 97:2
 Union (1) 58:12
 unique (3) 119:14, 20; 120:23
 United (2) 112:18; 181:19
 University (2) 7:10; 162:2
 Unnamed (1) 111:23
 unnecessary (1) 27:18
 unreasonable (1) 114:24
 untenable (1) 121:3
 untrue (1) 47:12
 unusual (3) 61:23; 80:10; 84:18
 unusually (1) 79:23
 unwarranted (2) 27:16; 29:12
 up-to-date (1) 25:5
 update (1) 79:19
 urology (2) 69:12, 13
 users (1) 114:13
 uses (4) 46:7; 114:20; 148:9;
 166:10
 usual (2) 72:16, 23
 utilize (1) 120:5
 utilized (1) 97:16

- V -

vacated (2) 200:19, 20
 vacation (1) 143:21
 vague (3) 194:21; 207:13; 208:10
 valid (3) 134:17; 136:2; 139:9
 value (1) 79:24
 varied (2) 99:11; 156:13
 varieties (1) 125:7
 variety (14) 8:6; 9:2; 25:7; 28:10;
 60:22; 66:9; 120:6, 18; 121:3;
 126:2, 3; 148:21; 165:10; 195:17
 vascular (1) 104:13
 ventilation (1) 28:9
 verbatim (2) 78:14, 18
 verse (2) 182:17; 185:4
 Vice (66) 4:10; 9:10; 13:9, 11, 17,
 18, 22; 14:3, 9, 23, 25; 15:2, 4, 7,
 9, 22, 23; 16:13, 24; 18:16; 19:20,
 21; 21:16; 22:11; 24:2, 4; 39:7, 8;
 42:6, 7, 8, 23; 47:7; 48:18; 49:17,
 18; 51:2, 4, 10; 52:9, 11, 19, 20;
 53:7, 12, 23; 54:6, 15,
 21; 142:5, 8; 151:12; 168:18;
 176:9, 17, 18, 20, 21, 24; 203:15,
 17; 205:22; 208:3, 13
 view (13) 39:9; 43:21; 49:15;
 56:5; 90:9; 109:15, 16; 110:21;
 134:3; 190:20, 22, 23; 202:17
 views (4) 22:17; 44:21; 92:14, 16
 vile (1) 174:3
 Violently (1) 106:23
 Virginia (1) 192:13
 virtue (1) 126:25
 visit (1) 120:25

STERLING REPORTING SERVICE, INC.

(212) 267-4150

From suburban to visit

682705704

Basic Systems Applications

BROIN v. PHILIP MORRIS Deposition of ARTHUR J. STEVENS 12/3/93

Concordance by Lexis-Sex(15)

Vocally [1] 106:25
vogue [1] 121:25
voluntarily [1] 56:15
voluntary [1] 120:18
volunteered [1] 103:19
votes [1] 97:8

- W -

wait [1] 34:12
waive [6] 177:17; 197:2, 4;
202:10, 20; 205:9
waived [5] 5:19; 41:4; 175:6;
201:9; 205:4
waiver [9] 20:7; 40:24; 48:12;
175:3; 176:2; 196:24; 197:3, 5;
205:10
waiving [3] 49:24; 177:12, 16
Wall [19] 61:25; 88:10, 19; 90:3,
9, 14, 21; 166:25; 170:15; 171:20,
22; 173:25; 205:13, 16; 206:11;
207:25; 208:22; 209:5, 24
wanted [4] 30:20; 75:5; 148:16;
201:21
wants [2] 167:2; 169:6
Warning [1] 46:10
warning [8] 44:2; 45:22; 46:6, 8,
13, 15, 21; 47:8
warnings [1] 45:14
Washington [1] 95:24
Washinton [1] 3:10
waste [1] 127:11
ways [2] 60:22; 165:10
wear [1] 134:7
wearing [8] 18:12, 25; 41:17;
49:9, 10; 51:16, 17; 179:22
week [2] 85:4; 158:21
weekly [2] 158:17; 163:16
weeks [2] 30:25; 163:18
weren't [1] 97:6
West [2] 2:5; 108:6
wheels [1] 129:6
whenever [1] 102:18
WHEREOF [1] 213:10
Whereupon [15] 27:12; 68:15;
86:15; 128:7; 129:14; 130:13;
142:13, 19; 150:7, 9; 174:11;
191:20; 196:4; 198:9; 199:2
whispering [2] 174:15, 18
whiz [1] 182:11
Whoever [1] 71:9
wholesaler [1] 71:24
wholly [1] 67:25
widely [1] 61:5
wife [7] 33:4, 7, 8; 106:16, 18;
204:25; 205:8
William [1] 58:5
Williams [4] 115:20; 116:15;
119:5, 25
Williamson [3] 3:19; 71:23; 85:2
willy-nilly [1] 114:14
Winston [2] 112:5
Winstons [1] 117:20
wit [1] 212:16
WITNESS [9] 86:9; 95:16; 144:5;
150:3; 174:16; 184:17, 19; 211:5;
213:10
witness [27] 5:12; 6:3; 22:23;
35:12; 36:19; 37:7, 10; 49:5;
50:12; 113:9; 129:9; 138:6; 139:5;
142:13, 19; 150:17; 174:14, 25;

183:18; 184:2; 190:13; 193:11;
210:9; 211:16; 212:21, 25
witnesses [8] 25:10, 11, 19;
27:14; 132:15; 133:10; 183:12, 21
Wolfgang [1] 154:12
woman [1] 105:14
Woods [2] 58:3, 23
word [2] 46:7; 103:17
words [3] 22:11; 126:10; 166:14
work [33] 9:4, 5; 11:23; 13:20;
17:20; 20:4; 22:2; 40:21; 48:6, 13;
61:11, 17, 19; 65:3; 80:2; 87:15;
89:8; 91:10; 105:9, 11, 14; 108:2,
14, 16; 109:25; 128:16; 129:25;
193:25; 194:8; 197:24; 202:15
worked [5] 10:18; 77:4; 105:13;
132:6; 193:19
working [3] 10:9; 14:16; 20:19
world [5] 116:19; 145:23; 168:2,
17; 169:10
worry [2] 18:5; 20:10
worshipped [1] 119:6
worth [3] 138:14; 144:2, 14
wouldn't [12] 64:10; 74:9; 87:17;
92:7; 99:16; 103:14; 116:6, 10;
165:13; 168:3; 169:2, 10
write [1] 22:10
writer [1] 111:17
writing [5] 76:19, 21, 25; 110:18;
212:22
wrong [5] 58:13; 91:17; 92:6, 10;
209:15
wrote [1] 206:10

- Y -

year [28] 6:23; 7:7, 11; 10:24;
61:4; 64:20; 67:5; 69:17, 18; 70:4;
80:18, 23, 24, 25; 82:4, 8; 83:23;
85:7; 133:21; 156:5, 14; 157:3;
160:17, 18; 163:21; 181:14;
187:14; 193:20
year-end [1] 79:19
years [68] 9:24, 25; 13:3; 15:15;
17:15; 30:14, 22; 32:20; 33:11,
13; 34:20; 35:3, 5; 38:17; 43:4;
59:19; 63:5; 64:21; 72:8; 78:11;
81:14, 16, 17; 82:12; 99:22, 24;
100:10; 101:5, 16, 18, 19; 102:2;
103:2, 9, 10; 104:3, 14; 105:3, 9;
109:17;
113:3, 8, 18; 120:9, 22; 121:5, 8,
21; 123:21; 133:24; 146:12;
148:7, 8; 149:15; 163:22; 167:17;
176:10; 182:11; 183:25; 184:22;
185:22; 188:17; 191:2, 5, 7; 194:2
Yellen [3] 11:5, 7, 12
yesterday [1] 144:15
yield [1] 108:8
YORK [2] 212:4, 5
York [63] 1:18, 21; 2:19, 23; 3:5;
4:6, 12; 6:6, 16, 19, 20; 7:4, 10,
18, 23; 8:4, 13; 9:16; 10:5, 7, 11;
18:23; 22:13; 31:4; 41:13, 19, 23;
61:25; 81:4; 85:3, 9; 110:6;
111:18; 133:14, 15; 160:13, 15,
18; 161:10, 15; 162:3; 166:25;
168:14;
169:5; 187:2; 192:20; 194:6, 12,
15; 205:18; 212:9, 10, 14
young [5] 105:14; 112:13;

120:16, 20; 123:7
Younger [1] 102:25
younger [1] 101:4
yours [1] 41:22
yourself [2] 113:24; 194:17

- Z -

zero [2] 126:12; 158:21

STERLING REPORTING SERVICE, INC.

(212) 267-4150

From Vocally to zero

682705705